

**2007-3-1**

SECTION 1. (a) As used in this SECTION, "health facility" refers to a health facility that is licensed under IC 16-28 as a comprehensive care facility.

(b) As used in this SECTION, "nursing facility" means a health facility that is certified for participation in the federal Medicaid program under Title XIX of the federal Social Security Act (42 U.S.C. 1396 et seq.).

(c) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(d) As used in this SECTION, "total annual revenue" does not include revenue from Medicare services provided under Title XVIII of the federal Social Security Act (42 U.S.C. 1395 et seq.).

(e) Effective August 1, 2003, the office shall collect a quality assessment from each nursing facility that has:

- (1) a Medicaid utilization rate of at least twenty-five percent (25%); and
- (2) at least seven hundred thousand dollars (\$700,000) in annual Medicaid revenue, adjusted annually by the average annual percentage increase in Medicaid rates.

(f) If the United States Centers for Medicare and Medicaid Services determines not to approve payments under this SECTION using the methodology described in subsection (e), the office shall revise the state plan amendment and waiver request submitted under subsection (l) as soon as possible to demonstrate compliance with 42 CFR 433.68(e)(2)(ii). The revised state plan amendment and waiver request must provide for the following:

- (1) Effective August 1, 2003, collection of a quality assessment by the office from each nursing facility.
- (2) Effective August 1, 2003, collection of a quality assessment by the department of state revenue from each health facility that is not a nursing facility.
- (3) An exemption from collection of a quality assessment from the following:
  - (A) A continuing care retirement community.
  - (B) A health facility that only receives revenue from Medicare services provided under 42 U.S.C. 1395 et seq.
  - (C) A health facility that has less than seven hundred fifty thousand dollars (\$750,000) in total annual revenue, adjusted annually by the average annual percentage increase in Medicaid rates.
  - (D) The Indiana Veterans' Home.

Any revision to the state plan amendment or waiver request under this subsection is subject to and must comply with the provisions of this SECTION.

(g) If the United States Centers for Medicare and Medicaid Services determines not to approve payments under this SECTION using the methodology described in subsections (e) and (f), the office shall revise the state plan amendment and waiver request submitted under subsection (l) as soon as possible to demonstrate compliance with 42 CFR 433.68(e)(2)(ii) and to provide for collection of a quality

assessment from health facilities effective August 1, 2003. In amending the state plan amendment and waiver request under this subsection, the office may modify the parameters described in subsection (f)(3). However, if the office determines a need to modify the parameters described in subsection (f)(3), the office shall modify the parameters in order to achieve a methodology and result as similar as possible to the methodology and result described in subsection (f). Any revision of the state plan amendment and waiver request under this subsection is subject to and must comply with the provisions of this SECTION.

(h) The money collected from the quality assessment may be used only to pay the state's share of the costs for Medicaid services provided under Title XIX of the federal Social Security Act (42 U.S.C. 1396 et seq.) as follows:

(1) Twenty percent (20%) as determined by the office.

(2) Eighty percent (80%) to nursing facilities.

(i) After:

(1) the amendment to the state plan and waiver request submitted under this SECTION is approved by the United States Centers for Medicare and Medicaid Services; and

(2) the office calculates and begins paying enhanced reimbursement rates set forth in this SECTION;

the office and the department of state revenue shall begin the collection of the quality assessment set under this SECTION. The office and the department of state revenue shall establish a method to allow a facility to enter into an agreement to pay the quality assessment collected under this SECTION subject to an installment plan.

(j) If federal financial participation becomes unavailable to match money collected from the quality assessments for the purpose of enhancing reimbursement to nursing facilities for Medicaid services provided under Title XIX of the federal Social Security Act (42 U.S.C. 1396 et seq.), the office and department of state revenue shall cease collection of the quality assessment under this SECTION.

(k) To implement this SECTION, the:

(1) office shall adopt rules under IC 4-22-2; and

(2) office and department of state revenue shall adopt joint rules under IC 4-22-2.

(l) Not later than July 1, 2003, the office shall do the following:

(1) Request the United States Department of Health and Human Services under 42 CFR 433.72 to approve waivers of 42 CFR 433.68(c) and 42 CFR 433.68(d) by demonstrating compliance with 42 CFR 433.68(e)(2)(ii).

(2) Submit any state Medicaid plan amendments to the United States Department of Health and Human Services that are necessary to implement this SECTION.

(m) After approval of the waivers and state Medicaid plan amendment applied for under subsection (l), the office and the department of state revenue shall implement this SECTION effective July 1, 2003.

(n) The select joint commission on Medicaid oversight, established by IC 2-5-26-3, shall review the implementation of this SECTION. The office may not make any change to the reimbursement for nursing

facilities unless the select joint commission on Medicaid oversight recommends the reimbursement change.

(o) A nursing facility or a health facility may not charge the facility's residents for the amount of the quality assessment that the facility pays under this SECTION.

(p) The office may withdraw a state plan amendment under subsection (e), (f), or (g) only if the office determines that failure to withdraw the state plan amendment will result in the expenditure of state funds not funded by the quality assessment.

(q) If a health facility fails to pay the quality assessment under this SECTION not later than ten (10) days after the date the payment is due, the health facility shall pay interest on the quality assessment at the same rate as determined under IC 12-15-21-3(6)(A).

(r) The following shall be provided to the state department of health:

(1) The office shall report each nursing facility that fails to pay the quality assessment under this SECTION not later than one hundred twenty (120) days after payment of the quality assessment is due.

(2) The department of state revenue shall report each health facility that is not a nursing facility that fails to pay the quality assessment under this SECTION not later than one hundred twenty (120) days after payment of the quality assessment is due.

(s) The state department of health shall do the following:

(1) Notify each nursing facility and each health facility reported under subsection (r) that the nursing facility's or health facility's license under IC 16-28 will be revoked if the quality assessment is not paid.

(2) Revoke the nursing facility's or health facility's license under IC 16-28 if the nursing facility or the health facility fails to pay the quality assessment.

(t) An action taken under subsection (s)(2) is governed by:

(1) IC 4-21.5-3-8; or

(2) IC 4-21.5-4.

(u) The office shall report the following information to the select joint commission on Medicaid oversight established by IC 2-5-26-3 at every meeting of the commission:

(1) Before the quality assessment is approved by the United States Centers for Medicare and Medicaid Services:

(A) an update on the progress in receiving approval for the quality assessment; and

(B) a summary of any discussions with the United States Centers for Medicare and Medicaid Services.

(2) After the quality assessment has been approved by the United States Centers for Medicare and Medicaid Services:

(A) an update on the collection of the quality assessment;

(B) a summary of the quality assessment payments owed by a nursing facility or a health facility; and

(C) any other relevant information related to the implementation of the quality assessment.

(v) This SECTION expires August 1, 2009.

**2007-7-2**

SECTION 2. IC 35-46-3-12, as amended by this act, applies only to:

- (1) offenses; and
- (2) acts that would be a crime if committed by an adult;

that are committed after June 30, 2007.

**2007-8-2**

SECTION 2. (a) As used in this SECTION, "committee" refers to the mental health quality advisory committee established in subsection (c).

(b) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(c) The mental health quality advisory committee is established. The committee consists of the following members:

- (1) The director of the office or the director's designee, who shall serve as chairperson of the committee.
- (2) The director of the division of mental health and addiction or the director's designee.
- (3) A representative of a statewide mental health advocacy organization.
- (4) A representative of a statewide mental health provider organization.
- (5) A representative from a managed care organization that participates in the state's Medicaid program.
- (6) A member with expertise in psychiatric research representing an academic institution.
- (7) A pharmacist licensed under IC 25-26.

The governor shall make the appointments under subdivisions (3) through (7) and fill any vacancy on the committee.

(d) The office shall staff the committee. The expenses of the committee shall be paid by the office.

(e) Each member of the committee who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(f) Each member of the committee who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(g) The affirmative votes of a majority of the voting members appointed to the committee are required by the committee to take action on any measure, including a final report.

(h) The committee shall advise the office and make recommendations concerning the implementation of IC 12-15-35.5-7(c) and consider the following:

- (1) Peer reviewed medical literature.



- (2) Observational studies.
- (3) Health economic studies.
- (4) Input from physicians and patients.
- (5) Any other information determined by the committee to be appropriate.
- (i) The office shall report recommendations made by the committee to the drug utilization review board established by IC 12-15-35-19.
- (j) The office shall report the following information to the select joint commission on Medicaid oversight established by IC 2-5-26-3:
  - (1) The committee's advice and recommendations made under this SECTION.
  - (2) The number of instances that occur under the restriction described in IC 12-15-35.5-7(c) and the outcome of each occurrence.
  - (3) The transition of the aged, blind, and disabled population to the risk based managed care program. This information shall also be reported to the health finance commission established by IC 2-5-23-3.
  - (4) Any decision by the office to change the health care delivery system in which Medicaid is provided to recipients.
- (k) This SECTION expires June 30, 2009.

#### **2007-15-2**

SECTION 2. IC 35-46-1-4, as amended by this act, applies only to crimes committed after June 30, 2007.

#### **2007-16-4**

SECTION 4. (a) The definitions in IC 6-2.3 apply throughout this SECTION.

(b) The addition of IC 6-2.3-4-6 by this act shall not be construed as imposing liability for the utility receipts tax for gross receipts derived from the sale of utility services between members of an affiliated group or controlled group of corporations before the effective date of this SECTION.

#### **2007-19-3**

SECTION 3. (a) As used in this SECTION, "biobased product" refers to a product:

- (1) produced from plant or animal sources; and
- (2) that would otherwise be produced from petroleum based sources.

The term does not include food, feed, or fuel and other energy related products.

(b) As used in this SECTION, "commission" refers to the Indiana biobased products advisory commission established by this SECTION.

(c) As used in this SECTION, "department" refers to the department of agriculture established by IC 15-9-2-1.

(d) The Indiana biobased products advisory commission is established.

(e) The commission consists of eleven (11) members appointed by the governor.

(f) Not more than six (6) commission members may be members of the same political party.

(g) When making appointments to the commission, the governor shall appoint individuals to represent the following interests:

- (1) Agriculture.
- (2) Business.
- (3) Chemical manufacturing.
- (4) Environmental organizations.
- (5) Forestry.
- (6) Higher education research.

The governor may appoint individuals representing other interests that the governor considers to be related to the commission's purpose.

(h) The governor shall appoint one (1) commission member to be the chair of the commission.

(i) The commission shall meet at the call of the chair.

(j) Each commission member who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Such a member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency. Each commission member who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(k) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

(l) Each member of the commission who is a member of the general assembly is a nonvoting member.

(m) The affirmative votes of a majority of the voting members appointed to the commission are required for the commission to take action on any measure, including final reports.

(n) The commission shall do the following:

- (1) Recommend short term and long term policy and commercialization strategies to the governor and the general assembly, outlining overall state goals, actions, and strategies to:
  - (A) promote the development and use of biobased products in an environmentally sound manner; and
  - (B) position Indiana as a national leader in manufacturing biobased products.
- (2) Propose the means by which the goals recommended under subdivision (1) can best be achieved through federal and state programs, integrated planning, and regional cooperation.
- (3) Identify mechanisms to encourage and support private sector initiatives to develop biobased products.

- (4) Advise on policies at the state and national level to support:
  - (A) development of biobased products; and
  - (B) development and support of new and expanding biobased product markets.
- (o) The commission shall report its findings and recommendations to the governor and, in an electronic format under IC 5-14-6, to the general assembly.
- (p) The commission's report under subsection (o) must do the following:
  - (1) Cover a broad spectrum of biobased products.
  - (2) Include the following:
    - (A) A description of priorities for research, development, demonstration, and investments in biobased products.
    - (B) A current list of federal research programs and funding relating to biobased products.
    - (C) Proposals for using the existing authority of state government to encourage the adoption and use of biobased products.
    - (D) Any recommendations for legislation to modify existing authority or create new authority for state government to encourage the adoption and use of biobased products.
- (q) The department shall provide staff and administrative support to the commission.
- (r) The department shall pay the commission's expenses from appropriations made for the department's operations.
- (s) This SECTION expires July 1, 2008.

#### **2007-27-38**

SECTION 38. (a) The definitions in IC 23-19-1-2, as added by this act, apply throughout this SECTION.

(b) The predecessor act exclusively governs all actions or proceedings that are pending on June 30, 2008, or may be instituted on the basis of conduct occurring before July 1, 2008, but a civil action may not be maintained to enforce any liability under the predecessor act unless instituted within any period of limitation that applied when the cause of action accrued or within five (5) years after June 30, 2008, whichever is earlier.

(c) All effective registrations under the predecessor act and all administrative orders relating to the registrations, rules, statements of policy, interpretative opinions, declaratory rulings, no-action determinations, and conditions imposed on the registrations under the predecessor act remain in effect while they would have remained in effect if IC 23-19, as added by this act, had not been enacted, and are considered to have been filed, issued, or imposed under IC 23-19, as added by this act, but are exclusively governed by the predecessor act.

(d) The predecessor act exclusively applies to an offer or sale made within one (1) year after June 30, 2008, under an offering made in good faith before July 1, 2008, on the basis of an exemption available under the predecessor act.

#### **2007-30-2**

SECTION 2. (a) As used in this SECTION, "commission" means the tourism signage study commission established by subsection (e).

(b) As used in this SECTION, "director" means the director of the office appointed under IC 5-29-2-2.

(c) As used in this SECTION, "office" means the office of tourism development established under IC 5-29-2-1.

(d) As used in this SECTION, "signs" means tourist attraction signage.

(e) There is established the tourism signage study commission.

(f) The commission consists of the following eleven (11) members:

(1) The commissioner of the Indiana department of transportation appointed under IC 8-23-2-2 or a designee of the commissioner of the Indiana department of transportation.

(2) Two (2) members of the senate, who may not be members of the same political party, appointed by the president pro tempore of the senate.

(3) Two (2) members of the house of representatives, who may not be members of the same political party, appointed by the speaker of the house of representatives.

(4) The chairman of the Indiana arts commission designated under IC 4-23-2-1(d) or the designee of the chairman of the Indiana arts commission.

(5) The lieutenant governor or a designee of the lieutenant governor.

(6) A member of the Indiana tourism council appointed by the chairperson of the Indiana tourism council serving under IC 5-29-4-3(c).

(7) An owner or operator of an agritourism business, appointed by the governor.

(8) A member appointed by the Association of Indiana Convention and Visitor Bureaus.

(9) An employee of the division of state museums and historic sites of the division of natural resources established under IC 14-9-4-1(21), appointed by the director of the division of natural resources appointed under IC 14-9-2-1.

(g) The director is the chairperson of the commission.

(h) Each member of the commission who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(i) Each member of the commission who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(j) Each member of the commission who is a member of the general

assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

(k) The expenses of the members under subsections (h) and (i) shall be paid by appropriations made to the office.

(l) The affirmative votes of a majority of the voting members appointed to the commission are required for the commission to take action on any measure.

(m) The office shall provide administrative services to and staff the commission.

(n) The commission shall study signs related to tourism, their placement alongside highways, and the current criteria concerning tourist attraction signage established under IC 9-21-4-5(b).

(o) The commission shall conclude its study not later than November 1, 2007, and shall report its findings not later than December 1, 2007, to the:

- (1) Indiana department of transportation;
- (2) office; and
- (3) legislative council.

The report of findings made to the legislative council must be in an electronic format under IC 5-14-6.

(p) The office shall review the findings of the commission and shall make changes to the criteria established under IC 9-21-4-5(b) based on the findings of the commission.

(q) This SECTION expires December 31, 2008.

#### **2007-35-27**

SECTION 27. (a) IC 22-10-15-4, as added by this act, does not:

- (1) apply to or abrogate a labor contract or labor agreement addressing alcohol or drug testing, or both, in effect on the effective date of this act; or
- (2) preclude arbitration on a provision in a labor contract or labor agreement referred to in subdivision (1).

(b) This SECTION expires January 1, 2012.

#### **2007-39-7**

SECTION 7. (a) The terms of office of plan commission members appointed under IC 36-7-4-1210.5 before January 1, 2008, expire on December 31, 2007.

(b) This SECTION expires January 1, 2009.

#### **2007-40-8**

SECTION 8. (a) IC 9-21-5-11, as amended by this act, applies to civil judgments entered for infractions committed after June 30, 2007.

(b) IC 9-21-8-56, as added by this act, applies to offenses committed after June 30, 2007.

#### **2007-42-21**

SECTION 21. (a) Except as provided in subsection (b),

IC 8-2.1-17-2, IC 8-2.1-20-4, IC 8-2.1-20-5, IC 8-2.1-20-7, IC 8-2.1-20-9, IC 8-2.1-22-1, IC 8-2.1-22-7, IC 8-2.1-22-33, IC 8-2.1-24-1, IC 8-2.1-24-3, IC 8-2.1-24-4, IC 8-2.1-24-11, IC 8-2.1-24-12, IC 8-2.1-24-20, and IC 8-2.1-24-21, all as amended by this act, IC 8-2.1-17-7.5 and IC 8-2.1-17-9.1, both as added by this act, and IC 8-2.1-21, as repealed by this act, apply to registrations and fees due after December 31, 2006.

(b) If the effective date for the repeal of the single state registration system established under 49 U.S.C. 11506 is delayed by the Congress of the United States, the provisions provided in subsection (a), as they existed on December 31, 2006, shall be applied in Indiana until the earlier of the following:

(1) The date a state is required to conform to the unified carrier registration system established under 49 U.S.C. 13908 as required by an act of the Congress of the United States or by a regulation of the United States Department of Transportation.

(2) January 1, 2008.

#### **2007-47-7**

SECTION 7. A resolution adopted by a township under IC 36-8-19 before July 1, 2007, that would have been valid under IC 36-8-19, as amended by this act, is legalized and validated.

#### **2007-48-2**

SECTION 2. (a) This section applies after December 31, 2007.

(b) This act does not:

(1) apply to or abrogate a collective bargaining agreement or memorandum of understanding; or

(2) preclude arbitration on a provision in a collective bargaining agreement or memorandum of understanding;

in effect on December 31, 2007.

(c) This SECTION expires July 1, 2008.

#### **2007-51-3**

SECTION 3. (a) IC 22-2-5-1, as amended by this act, applies to claims for wages earned before, on, or after July 1, 2007.

(b) Having received and considered testimony concerning the customary and usual wage payment practices of employers, it is the intent of the general assembly that the ten (10) day period referenced in IC 22-2-5-1, before its amendment by this act, be construed as ten (10) business days (as defined in IC 22-2-5-0.5, as added by this act).

(c) This SECTION expires July 1, 2017.

#### **2007-52-13**

SECTION 13. IC 31-34-2.3-6 and IC 31-34-2.3-7, both as added by this act, apply only to offenses committed after June 30, 2007.

#### **2007-53-1**

SECTION 1. (a) As used in this SECTION, "department" refers to the Indiana department of transportation established by IC 8-23-2-1.

(b) As used in this SECTION, "intelligent transportation system"

means a combination of information, control, and electronic technologies used to enhance the safety, maintenance, fuel efficiency, traffic flow, and ease of use of highways. The term includes the following:

- (1) Advanced traveler information systems.
- (2) Advance traffic management systems.
- (3) Incident management systems.

(c) The department shall study the feasibility of integrating intelligent transportation systems into Indiana's interstate and state highway systems, including reserving rights-of-way for the following:

- (1) Power, communications, and fiber cables.
- (2) Dedicated highway lanes for commercial and passenger vehicles.
- (3) Parallel rail lines.

(d) The department shall obtain input from the following:

- (1) The Purdue University College of Engineering.
- (2) The Indiana University School of Informatics.
- (3) The National Cooperative Highway Research Program.
- (4) The United States Department of Transportation.
- (5) The National Science Foundation.
- (6) The Intelligent Transportation Society of America.
- (7) The National Academy of Sciences' Transportation Research Board.
- (8) Any other state agency that has a transportation related function.

(e) The department shall report the results of the study required by subsection (c) to the public and, in an electronic format under IC 5-14-6, to the general assembly:

- (1) in an intermediate report due before January 1, 2008; and
- (2) in a final report due before January 1, 2009.

(f) Upon approval by the governor, the budget agency may authorize the payment of expenses incurred by the department in conducting the study required by subsection (c) from the state general fund.

(g) This SECTION expires January 1, 2009.

#### **2007-56-1**

SECTION 1. (a) As used in this SECTION, "department" refers to the department of insurance.

(b) As used in this SECTION, "insurer" means an insurer (as defined in IC 27-1-2-3) that issues a policy of accident and sickness insurance.

(c) As used in this SECTION, "policy of accident and sickness insurance" has the meaning set forth in IC 27-8-5-1. However, the term does not include a policy described in IC 27-8-5-2.5(a).

(d) As used in this SECTION, "preauthorization" means a determination by:

- (1) an insurer or an insurer's designated representative that a proposed health care service is:
  - (A) eligible for coverage; and
  - (B) medically necessary; or
- (2) a health maintenance organization that a proposed health care

service is:

(A) eligible for coverage; and

(B) medically necessary.

(e) The department shall study the current preauthorization practices and procedures used by insurers and health maintenance organizations. The department may also study standardization of the following:

(1) Explanation of benefit forms.

(2) The length of time that a health care provider has to submit a claim for payment for health care services to an insurer or a health maintenance organization.

(3) The format, information, and location of information concerning health benefit cards.

(4) The manner and time frame in which an out of network health care provider is informed by an insurer or a health maintenance organization of the reimbursement rate the health care provider will receive for a CPT code of a health care service for which the health care provider receives preauthorization from the insurer or health maintenance organization.

(f) In conducting the study, the department shall allow representatives of insurers, health maintenance organizations, and health care providers to provide testimony concerning whether the practices and procedures described in subsection (e) require the establishment of standards to ensure uniformity, timely response, and the provision of reasonably sufficient information to health care providers concerning payment of claims.

(g) Before November 1, 2007, the department shall report to the legislative council in an electronic format under IC 5-14-6 concerning the department's findings resulting from the study conducted under this SECTION. The report must include any statutory recommendations that the department considers necessary to address issues studied under this SECTION for which the department does not have current authority to act.

(h) This SECTION expires December 31, 2008.

#### **2007-63-6**

SECTION 6. (a) The bureau of motor vehicles and the department of state revenue may continue to implement any rule or policy adopted before July 1, 2007, requiring a person that owns a semitrailer that is permanently registered under IC 9-18-10-3 to annually renew the registration.

(b) The continued implementation of a rule or policy described in subsection (a) is considered compliance with the requirements of IC 9-18-10-2 and IC 9-18-10-3, both as amended by this act.

#### **2007-68-3**

SECTION 3. (a) The pension management oversight commission established by IC 2-5-12-1 shall do the following:

(1) Study the issue of implementing a judges' defined contribution fund.

(2) Study any inequities that exist between the benefits provided by the 1977 judges' retirement system and the benefits provided



by the 1985 judges' retirement system.

(3) Identify the ways in which the benefits provided by the 1977 judges' retirement system and the benefits provided by the 1985 judges' retirement system may be aligned.

(b) As part of the study under subsection (a)(1), the pension management oversight commission shall consider possible employer contribution rates by the state to a judges' defined contribution fund. The study must include a review of employer contribution rates for a judges' defined contribution fund that are consistent with employer contributions made by the state to other public pension plans.

(c) The commission shall operate under the policies governing study committees adopted by the legislative council and shall issue a final report before November 1, 2007, concerning the issues studied under this SECTION.

(d) This SECTION expires June 30, 2008.

#### **2007-69-2**

SECTION 2. IC 35-44-1-5, as amended by this act, applies to offenses committed after June 30, 2007.

#### **2007-73-4**

SECTION 4. (a) As used in this SECTION, "commissioner" has the meaning set forth in IC 16-18-2-340.

(b) Notwithstanding IC 16-28-11-5, as added by this act, the state department of health shall implement IC 16-28-11-5, as added by this act, under interim written guidelines approved by the commissioner.

(c) This SECTION expires on the earlier of the following:

(1) The date rules are adopted under IC 16-28-11-5, as added by this act.

(2) January 1, 2009.

#### **2007-74-3**

SECTION 3. (a) IC 27-8-11-9, as added by this act, applies to an agreement between an insurer and a provider that is entered into, amended, or renewed on or after the effective date of this act.

(b) IC 27-13-15-4, as added by this act, applies to a contract between a health maintenance organization and a participating provider that is entered into, amended, or renewed on or after the effective date of this act.

#### **2007-75-3**

SECTION 3. (a) An underground storage tank system that contains fuel composed of greater than fifteen percent (15%) alcohol is considered to comply with IC 13-23-5-1(b), as added by this act, if either of the following applies:

(1) The system predates the effective date of this act.

(2) The system predates the solid waste management board's adoption after the effective date of this act of any additional rules concerning technical and safety requirements for storing and dispensing alcohol blended fuel.

(b) Replacement tanks or ancillary equipment installed in existing

underground storage tank systems storing or dispensing alcohol blended fuels must meet the standards contained in additional rules adopted by the solid waste management board as described in subsection (a)(2) only if the installation occurs after the adoption of those rules.

**2007-77-5**

SECTION 5. Rights and obligations that arose under IC 26-1-6.1 before the repeal of IC 26-1-6.1 by this act remain valid and may be enforced as though IC 26-1-6.1 had not been repealed.

**2007-82-4**

SECTION 4. (a) IC 8-23-2-18 and IC 14-23-1-2, both as added by this act, do not apply to a contract to sell or distribute nursery stock (as defined in IC 14-8-2-184(1)) or wildflower seeds that was entered into before July 1, 2007.

(b) This SECTION expires July 1, 2012.

**2007-83-8**

SECTION 8. (a) Notwithstanding IC 16-19-3-4.4, as added by this act, the state department of health shall carry out the duties imposed upon it under IC 16-19-3-4.4, as added by this act, under interim written guidelines approved by the state health commissioner.

(b) This SECTION expires on the earlier of the following:

- (1) The date rules are adopted under IC 16-19-3-4.4, as added by this act.
- (2) December 31, 2008.

**2007-85-4**

SECTION 4. IC 35-42-2-10, as amended by this act, applies only to crimes committed after June 30, 2007.

**2007-89-11**

SECTION 11. (a) If:

- (1) a tract or an item of real property is offered for sale under IC 6-1.1-24-1 through IC 6-1.1-24-5 (all as effective December 31, 2006) before January 1, 2007; and
- (2) an amount is not received that is at least equal to the minimum sale price required under IC 6-1.1-24-5(e) (as effective December 31, 2006);

the tract or item of real property may be offered for sale a second time consistent with IC 6-1.1-24-1 through IC 6-1.1-24-5 (all as effective December 31, 2006) or subsection (b).

(b) Notwithstanding any other law, if:

- (1) a tract or an item of real property is offered for sale under IC 6-1.1-24-1 through IC 6-1.1-24-5 (all as effective December 31, 2006);
- (2) an amount is not received that is at least equal to the minimum sale price required under IC 6-1.1-24-5(e) (as effective December 31, 2006); and
- (3) the county treasurer and the county auditor jointly agree to an

expedited tax sale under this subsection;  
the tract or item of real property may be offered for sale a second time on a date that is on or after January 1 and before August 1 of the year immediately following the year in which the property was initially offered for sale and at least ninety (90) days after the date of the initial sale.

(c) All notice and judgment requirements set forth in IC 6-1.1-24 and IC 6-1.1-25, both as amended by this act, are applicable to the second expedited tax sale under subsection (b).

(d) A person subject to IC 6-1.1-24-5.3 may purchase property offered for sale under this SECTION.

(e) The period for redemption of real property sold under IC 6-1.1-24 is one hundred twenty (120) days after the date of sale under subsection (b).

(f) In implementing this SECTION, if a provision in IC 6-1.1 that affects an action under this SECTION that is in effect after December 31, 2006, as amended by HEA 1102-2006, conflicts with a provision of IC 6-1.1 that was in effect on December 31, 2006, this SECTION shall be implemented as if IC 6-1.1 (as effective December 31, 2006) were in effect.

(g) An action conducted after December 31, 2006, and before July 1, 2007, that would have been valid under this SECTION if conducted after June 30, 2007, shall be treated as if it had been conducted after June 30, 2007.

## **2007-89-12**

SECTION 12. (a) This SECTION applies to a county having a consolidated city.

(b) Whenever real property on the list prepared under IC 6-1.1-24-1.5 (as effective December 31, 2006) before January 1, 2007:

(1) is offered for sale under IC 6-1.1-24; and

(2) does not receive a bid for at least the amount required under IC 6-1.1-24-5 (as effective December 31, 2006);

the county auditor shall notify the metropolitan development commission that the real property has been offered for sale under IC 6-1.1-24, as amended by this act, and that an adequate bid has not been received.

(c) The metropolitan development commission shall, within a reasonable time after receiving notice under subsection (b), identify any property described under subsection (b) that the metropolitan development commission desires to acquire for urban homesteading under IC 36-7-17 or redevelopment purposes under IC 36-7-15.1. The metropolitan development commission shall then provide the county auditor with a list of the properties identified under this subsection.

(d) The county auditor shall execute and deliver a deed for any property identified under subsection (c) to the metropolitan development commission, subject to IC 6-1.1-25, as amended by this act. Properties identified under subsection (c) but not acquired by the metropolitan development commission shall be restored to the delinquent list prepared under IC 6-1.1-24-1 (as effective December

31, 2006).

(e) The county acquires a lien under IC 6-1.1-24-6 (as effective December 31, 2006) for any property that is:

- (1) not identified under subsection (c); and
- (2) offered for sale under IC 6-1.1-24, as amended by this act, for two (2) consecutive sales.

(f) The metropolitan development commission may not pay for any property acquired under subsection (d). However, a taxing unit having an interest in the taxes on the real property shall be credited with the full amount of the delinquent tax due to that unit.

(g) The agency designated or established in IC 36-7-17-2 may acquire real property in the name of the unit, for use as provided in IC 6-1.1-24 and this SECTION. Under this SECTION, the agency may acquire the deed for real property that was offered for sale but for which an adequate bid under IC 6-1.1-24-5(e) (as effective December 31, 2006) was not received by identifying the properties that the agency desires to acquire for urban homesteading or redevelopment purposes.

(h) For purposes of a sale under IC 6-1.1-24 conducted to implement IC 36-7-17-12, the proceeds of the sale shall be applied to the cost of the sale, including advertising and appraisal. If any proceeds remain after payment of the costs of the sale, the proceeds shall be applied to the payment of taxes removed from the tax duplicate under IC 6-1.1-24-6.7(e).

(i) In implementing this SECTION, if a provision in IC 6-1.1 that affects an action under this SECTION that is in effect after December 31, 2006, as amended by HEA 1102-2006, conflicts with a provision of IC 6-1.1 that was in effect on December 31, 2006, this SECTION shall be implemented as if IC 6-1.1 (as effective December 31, 2006) were in effect.

(j) An action conducted after December 31, 2006, and before July 1, 2007, that would have been valid under this SECTION if conducted after June 30, 2007, shall be treated as if it had been conducted after June 30, 2007.

### **2007-89-13**

SECTION 13. IC 6-1.1-25-4.6, as amended by this act, applies only to:

- (1) tax sales held after June 30, 2007; and
- (2) failures of tax sale petitioners to fulfill tax sale requirements under that section after June 30, 2007.

### **2007-90-29**

SECTION 29. (a) The definitions in IC 25-27.5, as amended by this act, apply to this SECTION.

(b) A physician assistant who has a certificate issued under IC 25-27.5, before amendment by this act, on June 30, 2007, is considered to be licensed under IC 25-27.5, as amended by this act, until the expiration of the certificate.

(c) After June 30, 2007, any reference in a rule to a certificate issued by the committee shall be treated as a reference to a license issued by the committee.

(d) This SECTION expires July 1, 2012.

**2007-90-30**

SECTION 30. (a) The medical licensing board shall, not later than September 1, 2007, define the following terms:

- (1) General anesthesia.
- (2) Regional anesthesia.
- (3) Moderate sedation.
- (4) Deep sedation.

(b) A physician assistant may not perform moderate sedation in the manner allowed under IC 25-27.5-5-4(f) until the medical licensing board has defined the required terms under subsection (a).

(c) This SECTION expires December 31, 2007.

**2007-90-31**

SECTION 31. (a) A physician assistant may act under the physician assistant's current supervisory agreement, without prescription authority, until the board:

- (1) reviews a new or amended supervisory agreement for the physician assistant if the physician assistant submits a new or amended agreement; and
- (2) adopts rules necessary to implement this act.

(b) This SECTION expires December 31, 2008.

**2007-94-3**

SECTION 3. (a) As used in this SECTION, "state department" refers to the state department of health established by IC 16-19-1-1.

(b) The state department shall, in consultation with health care providers, evaluate the current immunization data registry system under IC 16-38-5 and determine ways to make the registry easier for health care providers to report to and use.

(c) Not later than November 1, 2008, the state department shall orally report to the health finance commission established by IC 2-5-23-3 concerning the state department's progress under this SECTION. The report must include any recommendations of the state department to make the immunization data registry easier for health care providers to report to and use.

(d) This SECTION expires December 31, 2008.

**2007-94-4**

SECTION 4. (a) As used in this SECTION, "board" refers to the Indiana board of pharmacy created by IC 25-26-13-3.

(b) The board shall study and make findings on the issue of the application of technology in the dispensing of drugs, including the reliance on bar code technology in long term care pharmacies. The study must include the review of the use of pharmacy technicians when using bar code technology.

(c) Not later than November 1, 2007, the board shall report to the health finance commission established by IC 2-5-23-3 and the legislative council regarding the board's findings under this SECTION. The report to the legislative council must be in an electronic format

under IC 5-14-6.

(d) This SECTION expires December 31, 2008.

**2007-94-5**

SECTION 5. (a) Before January 1, 2008, the Indiana board of pharmacy, in consultation with the medical licensing board of Indiana, shall adopt rules under IC 4-22-2 concerning the qualifications, protocols, and record keeping requirements for a pharmacist to administer immunizations under IC 25-26-13-31.2, as added by this act. The rules must include the following requirements:

- (1) The pharmacist must have completed an accredited training program.
- (2) The pharmacist must be certified in cardiopulmonary resuscitation (CPR).
- (3) The pharmacist must be prohibited from delegating the administration of the immunization to another person.
- (4) The pharmacist must report adverse events.
- (5) The pharmacist may report the immunization of each individual to the immunization data registry maintained by the state department under IC 16-38-5.
- (6) A pharmacist may not be required to administer an immunization or complete the accredited training program if the pharmacist chooses not to administer any immunization.

(b) This SECTION expires July 1, 2008.

**2007-95-21**

SECTION 21. IC 29-1-8-3 and IC 29-1-8-4, both as amended by this act, apply to the estate of an individual who dies after June 30, 2007.

**2007-96-1**

SECTION 1. (a) As used in this SECTION, "committee" refers to the interim study committee on missing children established by this SECTION.

(b) There is established the interim study committee on missing children. The committee shall study issues related to the location and recovery of missing children, including the use of DNA profiles, fingerprints, and technology to assist in the location and recovery of missing children.

(c) The committee shall operate under the policies governing study committees adopted by the legislative council.

(d) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

(e) This SECTION expires December 31, 2007.

**2007-98-2**

SECTION 2. IC 27-8-5-3, as amended by this act, applies to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after December 31, 2007.

**2007-101-5**

SECTION 5. (a) Notwithstanding IC 16-40-4, the state department of health may, before December 31, 2008:

(1) study and develop a list of quality indicators for infections that have been adopted or endorsed by a national consensus organization for voluntary reporting by health care facilities to the state department of health; and

(2) publish the indicators for use by health care facilities.

(b) The state department of health shall report to the health finance commission established under IC 2-5-23-3 not later than September 1 of each year concerning the implementation of IC 16-40-5, as added by this act.

(c) This SECTION expires July 1, 2009.

#### **2007-101-6**

SECTION 6. Any information that is confidential under IC 16-40-4, as added by this act, remains confidential after the chapter expires or is repealed.

#### **2007-107-19**

SECTION 19. (a) Notwithstanding the repeal of IC 22-14-5 by this act, the firefighting and emergency equipment revolving loan fund established by IC 22-14-5-1 (before its repeal by this act) remains in existence after June 30, 2007, if any money remains in the fund on June 30, 2007. Money that remains in the firefighting and emergency equipment revolving loan fund on June 30, 2007, does not revert to the state general fund. Deposits or transfers may not be made to the firefighting and emergency equipment revolving loan fund, and new loans may not be made from the firefighting and emergency equipment revolving loan fund after June 30, 2007.

(b) Money remaining in the firefighting and emergency equipment revolving loan fund on June 30, 2007, must be transferred before August 1, 2007, to the fire training infrastructure fund established by IC 22-14-6-1, as added by this act.

(c) If money in the firefighting and emergency equipment revolving loan fund is transferred under subsection (b), the firefighting and emergency equipment revolving loan fund is abolished immediately after the transfer under subsection (b) is completed.

(d) Notwithstanding the repeal of IC 22-14-5 by this act, if a loan provided under IC 22-14-5-1 (before its repeal by this act) remains outstanding on June 30, 2007, the qualified entity to whom the loan was provided shall repay the loan, subject to the original terms and conditions of the loan, to the department of homeland security established by IC 10-19-2-1 for deposit in the fire training infrastructure fund established by IC 22-14-6-1, as added by this act.

(e) This SECTION expires on the later of:

(1) August 1, 2007; or

(2) the date on which the last outstanding loan provided under IC 22-14-5-1 (before its repeal by this act) is repaid to the department of homeland security under subsection (d).

#### **2007-109-2**

SECTION 2. IC 35-46-1-4, as amended by this act, applies only to crimes committed after June 30, 2007.

**2007-110-3**

SECTION 3. (a) The definitions in IC 8-1-22.6, as added by this act, apply throughout this SECTION.

(b) Not later than September 1, 2007, the division shall publish a nonrule policy document in the Indiana Register that establishes voluntary guidelines to be considered by a pipeline company that proposes to construct a pipeline that will be located, in whole or in part, in Indiana. The division shall consider including, but not be limited to including, the following topics in the nonrule policy document:

- (1) Minimum depth for burying pipeline based on topography and use of land.
- (2) Replacing topsoil and subsoil removed during excavation or construction, or both, on agricultural land and other land.
- (3) Removal of construction debris from topsoil and landowner property.
- (4) Prevention of topsoil erosion.
- (5) Alleviation of topsoil compaction.
- (6) Prevention and remediation of damages to underground drainage tile during construction and future maintenance.
- (7) Restoring land to preconstruction condition (elevation and contour).
- (8) Compensating landowners for property damage due to pipeline construction or maintenance.
- (9) Providing advance notice before pipeline companies enter private property for inspection, construction, or maintenance.
- (10) Indemnification of landowners against damages caused by pipeline company construction, maintenance, operation, repair, or use of the pipeline on the landowner's property, except for claims or damages arising from the negligent, intentional, or willful acts or omissions of the landowner.
- (11) Providing a list of the designated state agencies that will be working with the pipeline company on the various aspects of the pipeline company's application to obtain a Certificate of Public Convenience and Necessity from the Federal Energy Regulatory Commission.

(c) The division shall develop the guidelines through a public process. Notice must be published in the Indiana Register and all interested parties must have an opportunity to comment on the proposed guidelines.

(d) In adopting the guidelines under this SECTION, the division may consult with other states, or agencies of other states, that have adopted similar guidelines for the construction of pipelines. The division may also consult with any of the following:

- (1) Other state agencies in Indiana.
- (2) Any political subdivisions in Indiana in which pipelines are located or proposed to be located.
- (3) Public utilities, municipally owned utilities, or cooperatively owned utilities.



(4) Pipeline companies.

(5) Organizations representing agricultural interests in Indiana.

(6) Other individuals or organizations that have an interest in, or are knowledgeable about, pipelines or pipeline construction.

(e) Notwithstanding IC 8-1-22.6, as added by this act, a provision of IC 8-1-22.6, as added by this act, that imposes a duty related to the guidelines developed under this SECTION applies to pipeline companies and the division only after the finally adopted guidelines are published in the Indiana Register.

(f) This SECTION expires September 1, 2007.

#### **2007-112-3**

SECTION 3. IC 35-45-18-2 and IC 35-45-18-3, both as added by this act, apply only to crimes committed after June 30, 2007.

#### **2007-113-13**

SECTION 13. IC 23-14-58.5-5, as added by this act, applies only to acts committed after June 30, 2007.

#### **2007-113-14**

SECTION 14. IC 23-14-48-9, IC 30-2-9-7, and IC 30-2-10-9, all as amended by this act, apply only to acts committed after June 30, 2007.

#### **2007-122-3**

SECTION 3. (a) An individual who is appointed as a school corporation police officer before January 1, 2007, must begin the autism and Asperger's syndrome training and education required by IC 20-26-5-31, as added by this act, not later than January 1, 2008. However, an individual who is unable to begin the training and education by January 1, 2008, due to the existence of a waiting list for the training and education must begin the training and education as soon as possible after January 1, 2008.

(b) An individual who is appointed as a school corporation police officer after December 31, 2006, and before July 1, 2007, must begin the autism and Asperger's syndrome training and education required by IC 20-26-5-31, as added by this act, not later than one (1) year after the individual's appointment. However, an individual who is unable to begin the training and education within one (1) year after the individual's appointment due to the existence of a waiting list for the training and education must begin the training and education as soon as possible after the expiration of the one (1) year period.

(c) Notwithstanding IC 20-26-5-31, as added by this act, an individual who is appointed as a school corporation police officer before July 1, 2007, and who is unable to complete the training and education required by IC 20-26-5-31, as added by this act, by July 1, 2010, due to the existence of a waiting list for the training and education, must complete the training and education as soon as possible after July 1, 2010.

(d) This SECTION expires January 1, 2011.

#### **2007-129-4**

SECTION 4. (a) Notwithstanding IC 24-4-15, as added by this act, a health club is not required to comply with IC 24-4-15, as added by this act, before July 1, 2008.

(b) This SECTION expires December 31, 2009.

#### **2007-132-9**

SECTION 9. (a) An individual appointed as a school corporation police officer before January 1, 2007, must begin the training and education required under IC 20-26-16-5, as added by this act, not later than January 1, 2008. However, an individual who is unable to begin the training and education not later than January 1, 2008, due to the existence of a waiting list for the training and education must begin the training and education as soon as possible after January 1, 2008.

(b) An individual appointed as a school corporation police officer after December 31, 2006, and before July 1, 2007, must begin the training and education required under IC 20-26-16-5, as added by this act, not later than one (1) year after the individual's appointment. However, an individual who is unable to begin the training and education within one (1) year after the individual's appointment due to the existence of a waiting list for the training and education must begin the training and education as soon as possible after the expiration of the one (1) year period.

(c) Notwithstanding IC 20-26-16-5, as added by this act, an individual appointed as a school corporation police officer before July 1, 2007, who is unable to complete the training and education required under IC 20-26-16-5, as added by this act, not later than July 1, 2010, due to the existence of a waiting list for the training and education, must complete the training and education as soon as possible after July 1, 2010.

(d) This SECTION expires January 1, 2011.

#### **2007-133-15**

SECTION 15. IC 4-13.6-7, IC 5-16-5.5-2, IC 5-30-8-4, IC 8-15-2-5, IC 8-23-7-19, IC 8-23-9-8, and IC 36-1-12, all as amended by this act, apply only to public works contracts entered into after June 30, 2007.

#### **2007-138-94**

SECTION 94. (a) Notwithstanding IC 31-33-26-13 and IC 31-33-26-16(c), both as added by this act, the department of child services is not required to adopt rules described under those statutes until July 1, 2011.

(b) Notwithstanding IC 31-33-26-13, as added by this act, the department of child services shall adopt written policies governing administrative reviews and hearings relating to substantiated determinations of child abuse or neglect under IC 31-33-26-9, as added by this act, including the availability of judicial review of final decisions of the department of child services under IC 4-21.5-5. Rules adopted by the department under IC 31-33-26-13, as added by this act, supersede written policies governing the same subject.

(c) Notwithstanding IC 31-33-26-16(c), as added by this act, the department of child services shall adopt written policies governing the

disclosure of information under IC 31-33-26-16, as added by this act. Rules adopted by the department of child services governing the disclosure of information under IC 31-33-26-16, as added by this act, supersede written policies governing the same subject.

(d) This SECTION expires July 2, 2011.

**2007-144-27**

SECTION 27. IC 6-3-1-3.5 and IC 6-3-2-4, both as amended by this act, apply to taxable years beginning after December 31, 2007.

**2007-144-28**

SECTION 28. IC 10-17-1-5 and IC 10-17-1-9, both as amended by this act, and IC 10-17-1-11, as added by this act, apply to employees who begin employment with:

(1) the Indiana department of veterans' affairs; or

(2) a county or a city under IC 10-17-1-9, as amended by this act; as applicable, after June 30, 2007.

**2007-144-29**

SECTION 29. (a) Notwithstanding the amendment of IC 10-17-12-10 by this act, rules adopted by the veterans' affairs commission under IC 4-22-2 and IC 10-17-12-10, before its amendment by this act, for the provision of grants under IC 10-17-12 shall remain in effect until the later of:

(1) the date on which the military and veterans' benefits board established by IC 10-17-13-4, as added by this act, adopts rules under IC 4-22-2 and IC 10-17-12-10, as amended by this act; or  
(2) July 1, 2008.

(b) This SECTION expires July 1, 2008.

**2007-144-30**

SECTION 30. (a) For purposes of IC 21-13-5, as added by this act, "fund" refers to the National Guard scholarship extension fund established by IC 21-13-5-1.

(b) This SECTION expires July 1, 2007.

**2007-144-31**

SECTION 31. (a) On June 30, 2007, the state student assistance commission shall transfer the National Guard scholarship program reserves to the National Guard scholarship extension fund established by IC 21-13-5-1, as added by this act.

(b) This SECTION expires December 31, 2007.

**2007-145-17**

SECTION 17. (a) As used in this SECTION, "associate member" has the meaning set forth in bylaw 13(c) of the bylaws of the Multistate Tax Commission, as amended through October 17, 2002.

(b) As used in this SECTION, "biennium" means a period consisting of two (2) consecutive state fiscal years beginning on July 1 of an odd-numbered year.

(c) As used in this SECTION, "department" refers to the department

of state revenue established by IC 6-8.1-2-1.

(d) The governor and the commissioner of the department shall take the steps necessary for Indiana to become an associate member of the Multistate Tax Commission (444 North Capital Street, NW, Suite 425, Washington, DC 20001).

(e) For a biennium beginning after January 1, 2009, the department shall make a separate request for the cost of membership in the Multistate Tax Commission as part of the department's biennial budget request.

#### **2007-146-22**

SECTION 22. IC 35-46-1-21 and IC 35-46-1-22, both as added by this act, apply only to crimes committed after June 30, 2007.

#### **2007-148-10**

SECTION 10. (a) As used in this SECTION, "board" refers to the following:

- (1) For the 1925 fund, the local board as referenced in IC 36-8-6-2.
- (2) For the 1937 fund, the local board as referenced in IC 36-8-7-3.
- (3) For the 1953 fund, the local board as referenced in IC 36-8-7.5-2.
- (4) For the 1977 fund, the PERF board as referenced in IC 36-8-8-4.

(b) As used in this SECTION, "member" means an individual who is a member of any of the following funds:

- (1) 1925 police pension fund (IC 36-8-6) (1925 fund).
- (2) 1937 firefighters' pension fund (IC 36-8-7) (1937 fund).
- (3) 1953 police pension fund (Indianapolis) (IC 36-8-7.5) (1953 fund).
- (4) 1977 police officers' and firefighters' pension and disability fund (IC 36-8-8) (1977 fund).

(c) A member:

- (1) who, after March 14, 2006, and before July 1, 2006, made or attempted to make an election to enter a deferred retirement option plan (DROP) under IC 36-8-8.5-9 with a DROP retirement date (as defined in IC 36-8-8.5-8) after December 31, 2007; and
- (2) whose election under subdivision (1) was not approved;

is entitled to resubmit the election described in subdivision (1) as initially submitted.

(d) A member may not resubmit an election described in subsection (c) after July 1, 2007.

(e) For an election that is resubmitted under subsection (c), the board shall:

- (1) accept the election as resubmitted; and
- (2) use the DROP entry date (as defined in IC 36-8-8.5-6) and the DROP retirement date (as defined in IC 36-8-8.5-8) shown on the resubmitted election as the dates the member enters and exits the DROP.

(f) This SECTION expires December 31, 2007.

**2007-149-5**

SECTION 5. (a) This SECTION applies to IC 5-10.2-9, as added by this act.

(b) The definitions in IC 5-10.2 apply throughout this SECTION.

(c) The general assembly finds the following:

(1) Mandatory divestment by the funds of the funds' holdings in certain companies is a measure that should be employed only under extraordinary circumstances.

(2) The Congress and President of the United States have declared that genocide is occurring in the Darfur region of Sudan.

(3) The Sudan crisis represents the first time the government of the United States has labeled ongoing atrocities a genocide.

(4) The situation in Sudan is unique and constitutes the extraordinary circumstances necessary for mandatory divestment by the funds of the funds' holdings in scrutinized companies with active business operations in Sudan.

**2007-149-6**

SECTION 6. (a) As used in this SECTION, "commission" refers to the pension management oversight commission established by IC 2-5-12-1.

(b) The commission shall study and make recommendations, including any recommended legislation, concerning the structure of the Indiana state teachers' retirement fund established by IC 5-10.4-2-1.

(c) The commission shall operate under the policies governing study committees adopted by the legislative council.

(d) This SECTION expires December 31, 2007.

**2007-151-5**

SECTION 5. IC 22-2-13, as added by this act, does not excuse noncompliance with a provision of a collective bargaining agreement or other employment benefit program or plan in effect on July 1, 2007, that is not in substantial conflict with IC 22-2-13, as added by this act. IC 22-2-13, as added by this act, does not justify an employer reducing employment benefits provided by the employer that exceed the benefits required by IC 22-2-13, as added by this act.

**2007-152-1**

SECTION 1. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning.

(b) Before September 1, 2007, the office shall apply to the United States Department of Health and Human Services for the necessary amendment to the state Medicaid plan or for a waiver to authorize the office to reimburse a health care provider under Medicaid for the collection of cord blood by the health care provider from a pregnant Medicaid recipient upon the birth of a newborn.

(c) The office may not implement the state plan amendment or waiver described in subsection (b) until the office files an affidavit with the governor attesting that the amendment or waiver applied for under this SECTION has been approved and is in effect. The office shall file the affidavit under this subsection not later than five (5) days after the

office is notified that the amendment or the waiver is approved.

(d) If the office receives federal approval for the amendment or waiver described in this SECTION and the governor receives the affidavit filed under subsection (c), the office shall implement the amendment or waiver not more than sixty (60) days after the governor receives the affidavit. Any cost to the state resulting from the implementation of the amendment or the waiver must be paid from appropriations made to the office of the secretary of family and social services or other private funds made available to the office.

(e) The office may adopt rules under IC 4-22-2 necessary to implement this SECTION.

(f) This SECTION expires July 1, 2013.

#### **2007-152-2**

SECTION 2. (a) As used in this SECTION, "commission" refers to the health finance commission established by IC 2-5-23-3.

(b) Before November 1, 2007, the state department of health and the office of the secretary of family and social services shall orally report to the commission the agencies' progress in developing a program for the statewide collection of cord blood from pregnant women upon delivery of a newborn.

(c) This SECTION expires December 31, 2007.

#### **2007-158-1**

SECTION 1. (a) As used in this SECTION, "comprehensive care bed" means a bed that:

- (1) is licensed or is to be licensed under IC 16-28-2;
- (2) functions as a bed licensed under IC 16-28-2; or
- (3) is subject to IC 16-28.

The term does not include a comprehensive care bed that will be used solely to provide specialized services and that is subject to IC 16-29.

(b) As used in this SECTION, "replacement bed" means a comprehensive care bed that is relocated to a health facility that is licensed or is to be licensed under IC 16-28.

(c) This SECTION does not apply to the following:

- (1) A hospital licensed under IC 16-21-2 that in accordance with IC 16-29-3-1, as amended by this act, converts not more than:

(A) thirty (30) acute care beds to skilled care comprehensive long term care beds; and

(B) an additional twenty (20) acute care beds to either intermediate care comprehensive long term care beds or skilled care comprehensive long term care beds;

that are to be certified for participation in a state or federal reimbursement program, including a program under Title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the state Medicaid program, if those beds will function essentially as beds licensed under IC 16-28.

- (2) A health facility licensed or to be licensed under IC 16-28 that is under development on June 30, 2006, to add, construct, or convert comprehensive care beds. In determining whether a health facility is under development on June 30, 2006, the state

department shall consider:

(A) whether:

- (i) architectural plans have been completed;
- (ii) funding has been received;
- (iii) zoning requirements have been met; and
- (iv) construction plans for the project have been approved by the state department and the division of fire and building safety; and

(B) any other evidence that the state department determines is an indication that the health facility is under development.

(3) A health facility that is licensed or is to be licensed under IC 16-28 and that adds, constructs, or converts a comprehensive care bed that is a replacement bed for an existing comprehensive care bed.

(4) A health facility that is licensed or is to be licensed under IC 16-28 and that applies to certify a comprehensive care bed for participation in a state reimbursement program, if the bed for which the health facility is seeking certification is a replacement bed for an existing certified comprehensive care bed.

(5) A continuing care retirement community required to file a disclosure statement under IC 23-2-4.

(6) One (1) health facility that is licensed or is to be licensed under IC 16-28 and that meets the following conditions:

(A) The health facility will add or construct not more than a total of twenty (20) comprehensive care beds.

(B) The director of the division of aging has determined that the health facility will provide an innovative and unique approach to the delivery of comprehensive care that incorporates residential accommodations in a small group setting offering a person centered culture.

(d) Comprehensive care beds may not be added or constructed in Indiana.

(e) Residential beds licensed under IC 16-28-2 and unlicensed beds may not be converted to comprehensive care beds.

(f) The Indiana health facilities council may not recommend and the state department of health may not approve the certification of new or converted comprehensive care beds for participation in a state reimbursement program, including the state Medicaid program.

(g) A health facility that:

- (1) is licensed under IC 16-28; and
- (2) has not, before May 1, 2007, filed a disclosure statement under IC 23-2-4 that is required of a continuing care retirement community;

may not convert to a continuing care retirement community or file the disclosure statement described in IC 23-2-4.

(h) This SECTION expires March 30, 2008.

## **2007-158-2**

SECTION 2. (a) The health finance commission shall study the following topics:

- (1) Whether hospitals, including specialty hospitals, should be

placed under a moratorium from adding or constructing new facilities.

(2) Whether specialty hospitals should be restricted from presenting their facilities to the public as a hospital.

(3) Whether the definition of the term "hospital" under IC 16-18-2-179 should be amended to include or exclude certain specialty health facilities.

(b) The health finance commission shall issue its recommendations concerning the topics studied under subsection (a) before November 1, 2007.

(c) This SECTION expires December 31, 2007.

### **2007-158-3**

SECTION 3. 405 IAC 5-4-4 is void prospectively upon the date of passage of this act. The publisher of the Indiana Administrative Code and Indiana Register shall remove this section from the Indiana Administrative Code.

### **2007-161-41**

SECTION 41. (a) The auditor of state and the budget agency shall change the name of any account that refers to the Aid to Families with Dependent Children (AFDC) program to the Temporary Assistance for Needy Families (TANF) program.

(b) The auditor of state and the budget agency shall make any other changes necessary to meet the requirements of subsection (a).

(c) This SECTION expires December 31, 2008.

### **2007-161-42**

SECTION 42. (a) As used in this SECTION, "office of the secretary" refers to the office of the secretary of family and social services established by IC 12-8-1-1.

(b) As used in this SECTION, "government assistance income" means the sum of the value of all:

- (1) cash;
- (2) free services; or
- (3) savings from reduced fees;

that an Indiana resident with an income at or below two hundred percent (200%) of the federal poverty income level receives.

(c) Before December 31, 2007, the office of the secretary shall study the following:

- (1) The tax relief available for Indiana residents with incomes under the federal poverty income level.
- (2) The availability of programs that provide financial or medical assistance to low income Indiana residents with incomes under the federal poverty income level, including:
  - (A) Medicaid;
  - (B) Temporary Assistance for Needy Families;
  - (C) food stamps; or
  - (D) any other federal, state, or local financial or medical assistance available to Indiana residents whose income is at or below two hundred percent (200%) of the federal poverty



income level.

(3) The maximum government assistance income an individual could receive by pursuing and obtaining the benefits described in subdivisions (1) and (2).

(d) The office of the secretary shall submit a report of its findings not later than December 31, 2007, to the governor and the legislative council. The report must be in an electronic format under IC 5-14-6. The report must include a detailed explanation of the calculation assumptions and methodology.

(e) This SECTION expires January 1, 2008.

#### **2007-162-43**

SECTION 43. (a) As used in this SECTION, "IHEFFA" means the Indiana health and educational facility financing authority established by IC 5-1-16-2 (before its repeal).

(b) As used in this SECTION, "IFA" means the Indiana finance authority established by IC 4-4-11-4.

(c) On July 1, 2007, all powers, duties, and liabilities of the IHEFFA are transferred to the IFA, as the successor entity. The terms of office of the members of the IHEFFA serving on June 30, 2007, terminate on July 1, 2007.

(d) On July 1, 2007, all records and property of the IHEFFA, including appropriations and other funds under the control or supervision of the authority, are transferred to the IFA, as the successor entity.

(e) After July 1, 2007, any amounts owed to the IHEFFA before July 1, 2007, are considered to be owed to the IFA, as the successor entity.

(f) After June 30, 2007, a reference to the IHEFFA in a statute, rule, or other document is considered a reference to the IFA, as the successor entity.

(g) All powers, duties, and liabilities of the IHEFFA with respect to bonds issued by the IHEFFA in connection with any trust agreement or indenture securing those bonds are transferred to the IFA, as the successor entity. The rights of the trustee under any trust agreement or indenture and the rights of the bondholders of the IHEFFA remain unchanged, although the powers, duties, and liabilities of the IHEFFA have been transferred to the IFA, as the successor entity.

#### **2007-162-44**

SECTION 44. (a) As used in this SECTION, "transferred programs" refers to the following:

(1) Shovel ready site development center under IC 5-28-28.4, as added by this act (IC 4-4-11-44 before its repeal).

(2) Capital access program under IC 5-28-29, as added by this act (IC 4-4-26 before its repeal).

(3) Industrial development loan guaranty program under IC 5-28-30, as added by this act (IC 4-4-11-16 before its repeal).

(4) Agricultural loan and rural development project guarantee fund under IC 5-28-31, as added by this act (IC 15-7-5-19.5 before its repeal).

(5) Business development loan fund under IC 5-28-32, as added

by this act (IC 4-4-11-16.5 before its repeal).

(b) On July 1, 2007, all powers, duties, and liabilities of the Indiana finance authority with respect to the transferred programs are transferred to the Indiana economic development corporation.

(c) On July 1, 2007, all records and property of the Indiana finance authority with respect to the transferred programs, including appropriations and other funds under the authority's control or supervision, are transferred to the Indiana economic development corporation.

(d) After June 30, 2007, any amounts owed to the Indiana finance authority under the transferred programs before July 1, 2007, are considered to be owed to the Indiana economic development corporation.

(e) After June 30, 2007, a reference to the Indiana finance authority in a statute, rule, or other document concerning a transferred program is considered a reference to the Indiana economic development corporation unless the reference applies to the issuance of obligations.

(f) On July 1, 2007, all powers, duties, and liabilities of the Indiana finance authority with respect to agreements entered into or obligations issued in connection with a transferred program are transferred to the Indiana economic development corporation. The rights of a party to such an agreement or the holder of such an obligation remain unchanged, although the powers, duties, and liabilities described in this subsection have been transferred to the Indiana economic development corporation.

#### **2007-162-45**

SECTION 45. (a) Notwithstanding IC 4-4-11-41, as amended by this act, any bonds issued by the authority pursuant to IC 4-4-11 and any other securities issued in connection with a financing under IC 4-4-11 shall be exempt from the registration and other requirements of IC 23-2-1 and any other securities registration laws.

(b) This SECTION expires June 30, 2008.

#### **2007-163-2**

SECTION 2. (a) As used in this SECTION, "fund" refers to the public employees' retirement fund established by IC 5-10.3-2-1.

(b) Not later than December 1, 2007, the fund shall pay the amount determined under subsection (c) to a member of the fund (or to a survivor or beneficiary of the member) who retired or was disabled before January 1, 2007, and who is entitled to receive a monthly benefit on November 1, 2007. The amount shall be paid as a single check and is not an increase in the pension portion of the monthly benefit.

(c) The amount paid under this SECTION to a member of the fund (or to a survivor or beneficiary of a member) who meets the requirements of subsection (b) is determined as follows:

If a Member's Creditable Service Is:	The Amount of the Check Is:
At least 5 years, but less than 10 years (only in the case of a member receiving disability retirement benefits)	\$25

At least 10 years, but less than 20 years	\$75
At least 20 years, but less than 30 years	\$150
At least 30 years	\$200

(d) The creditable service used to determine the amount paid to a member (or to a survivor or beneficiary of the member) under this SECTION is the creditable service that was used to compute the member's retirement benefit under IC 5-10.2-4-4, except that partial years of creditable service may not be used to determine the amount paid under this SECTION.

(e) This SECTION expires December 1, 2007.

### **2007-164-3**

SECTION 3. IC 35-42-3-4, as amended by this act, applies only to crimes committed after June 30, 2007.

### **2007-165-3**

SECTION 3. IC 22-2-9-5, as amended by this act, applies to wage claims filed with the commissioner of labor after June 30, 2007.

### **2007-166-7**

SECTION 7. (a) Although IC 20-28-5-3(c), as amended by this act, applies beginning July 1, 2007, a college or university located in Indiana may recommend to a person who has been accepted in a teacher training program before July 1, 2007, that the person should meet the requirements of IC 20-28-5-3(c), as amended by this act.

(b) This SECTION expires June 30, 2009.

### **2007-166-8**

SECTION 8. (a) As used in this SECTION, "ADM" refers to a school corporation's average daily membership determined under IC 20-43-4-2.

(b) As used in this SECTION, "school corporation" means a public school corporation established by Indiana law. The term includes a:

- (1) school city;
- (2) school town;
- (3) school township;
- (4) consolidated school corporation;
- (5) metropolitan school district;
- (6) township school corporation;
- (7) county school corporation;
- (8) united school corporation; or
- (9) community school corporation.

(c) On the date a school corporation reports the school corporation's ADM for the 2007-2008 school year, the school corporation shall also report:

- (1) the number of students in the school corporation who have a chronic disease, by disease category; and
- (2) the number of school nurses.

Chronic disease includes asthma, diabetes, and any other disease the department of education determines is significant for the school corporation to report.

(d) The department of education shall provide the information required to be reported in subsection (c) to the health finance commission established by IC 2-5-23-3 not later than sixty (60) days after the department of education receives the reported information.

(e) This SECTION expires June 30, 2008.

#### **2007-166-9**

SECTION 9. (a) Notwithstanding IC 20-28-5-3(c), as amended by this act, the requirements set forth in IC 20-28-5-3(c) do not apply to an applicant who has received an initial teaching license at any grade level before August 1, 2007, and who seeks initial employment as a teacher under that license for the 2007-2008 school year.

(b) This SECTION expires June 30, 2008.

#### **2007-168-9**

SECTION 9. (a) Before June 30, 2008, the state student assistance commission shall offer an opportunity to become an eligible student (as defined in IC 20-12-70-2(a), as amended by this act (before its repeal), and IC 21-12-6-5(a), as amended by this act) to any student who, during the 2005-2006 school year or 2006-2007 school year:

- (1) met the eligibility criteria set forth in IC 20-12-70-2(a), as amended by this act (before its repeal), or IC 21-12-6-5(a), as amended by this act, as if IC 20-12-70-2(a)(2)(B), as amended by this act (before its repeal), or IC 21-12-6-5(a)(2)(A)(ii), as amended by this act, had been in effect at the time; and
- (2) was enrolled in grade 8 at a nonpublic school that is accredited by a method set forth in IC 20-12-70-2(a)(2)(B), as amended by this act (before its repeal), or IC 21-12-6-5(a)(2)(A)(ii), as amended by this act.

(b) This SECTION expires July 1, 2008.

#### **2007-171-13**

SECTION 13. (a) Except as provided in subsection (b), IC 35-46-3-8 and IC 35-46-3-12, both as amended by this act, and IC 35-46-3-12.5 and IC 35-46-3-14, both as added by this act, apply only to crimes committed after June 30, 2007.

(b) IC 35-46-3-12(d), as amended by this act, applies only to:

- (1) crimes; and
- (2) delinquent acts that would be crimes if committed by an adult; that are committed after June 30, 2007.

#### **2007-173-48**

SECTION 48. (a) As used in this SECTION, "commissioner" refers to the insurance commissioner appointed under IC 27-1-1-2.

(b) As used in this SECTION, "committee" refers to the interim study committee to define "health insurance" established by subsection (c).

(c) There is established the interim study committee to define "health insurance". The committee shall only study and make recommendations to the general assembly concerning the manner in which accident and sickness insurance policies, self-insured plans, and

health maintenance organization contracts that provide coverage for health care services are defined in the Indiana Code.

(d) The committee consists of the following members:

(1) Four (4) members of the house of representatives, to be appointed by the speaker of the house of representatives, not more than two (2) of whom may represent the same political party.

(2) Four (4) members of the senate, to be appointed by the president pro tempore of the senate, not more than two (2) of whom may represent the same political party.

(e) The committee shall operate under the policies governing study committees adopted by the legislative council.

(f) The affirmative votes of a majority of the members appointed to the committee are required for the committee to take action on any measure, including final reports.

(g) The committee shall submit a final report to the legislative council not later than October 31, 2007.

(h) This SECTION expires December 31, 2007.

#### **2007-173-49**

SECTION 49. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(b) As used in this SECTION, "program" refers to the health care management program established under subsection (d).

(c) As used in this SECTION, "recipient" means a Medicaid recipient under IC 12-15.

(d) The office may work with one (1) or more health care providers to establish and implement a demonstration project for a health care management program under which the health care providers provide health care services to recipients. If a demonstration project is established and implemented, the program must allow the office to do the following:

(1) Offer to recipients who currently receive health care services from the health care providers the opportunity to continue to receive Medicaid services provided solely by the health care providers as part of the demonstration project. The offer must be extended to a number of recipients that is sufficiently large to result in a percentage of recipients accepting the offer to provide meaningful data to guide the establishment and implementation of the program under subdivision (2). A recipient is not required to participate in the demonstration project.

(2) Establish and implement a program of health care management modeled on the United States Department of Veterans Affairs Quality Enhancement Research Initiative, including use of payment incentives for:

(A) individual health care providers; and

(B) administrators;

of the health care providers with which the office works under this SECTION to reward the achievement of objectives established for the program.

(e) The office and the health care providers described in subsection

(d) shall study the impact of implementing the program under

subsection (d)(2), including the impact the program has on the:

(1) quality; and

(2) cost;

of health care provided to recipients.

(f) The office shall consult with the Regenstrief Institute for Health Care or a comparable institution in developing, implementing, and studying the program.

(g) The office shall apply to the United States Department of Health and Human Services for any amendment to the state Medicaid plan or demonstration waiver that is needed to implement this SECTION. A health care provider described in subsection (d) shall assist the office in requesting the amendment or demonstration waiver and, if the amendment or waiver is approved, establishing and implementing the amendment or waiver.

(h) The office may not implement the amendment or waiver until the office files an affidavit with the governor attesting that the amendment or waiver applied for under this SECTION is in effect. The office shall file the affidavit under this subsection not more than five (5) days after the office is notified that the amendment or waiver is approved.

(i) If the office receives approval for the amendment or waiver under this SECTION from the United States Department of Health and Human Services and the governor receives the affidavit filed under subsection (h), the office shall implement the amendment or waiver not more than sixty (60) days after the governor receives the affidavit.

(j) The office may adopt rules under IC 4-22-2 to implement this SECTION.

(k) The office shall, before July 1 of each year, report to the legislative council in an electronic format under IC 5-14-6 concerning a demonstration project established and implemented under this SECTION.

(l) Notwithstanding subsections (d) through (k), if the office determines that establishing and implementing a demonstration project under this SECTION is not feasible, the office shall report the determination of infeasibility to the legislative council in an electronic format under IC 5-14-6 not later than June 30, 2008.

(m) This SECTION expires January 1, 2013.

#### **2007-173-50**

SECTION 50. (a) As used in this SECTION, "insurer" includes the following:

(1) An insurer (as defined in IC 27-8-11-1).

(2) An administrator licensed under IC 27-1-25.

(3) A health maintenance organization (as defined in IC 27-13-1-19).

(4) A person that pays or administers claims on behalf of an insurer or a health maintenance organization.

(b) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(c) As used in this SECTION, "small employer" has the meaning set forth in IC 27-8-15-14.

(d) Before June 1, 2008, the office may develop, with one (1) or more organizations that provide health care services, a pilot project through which small employers that are unable to afford to offer health care coverage for employees of the small employers may obtain access to affordable health care coverage for the employees.

(e) The office may adopt rules under IC 4-22-2 to implement this SECTION.

(f) If the pilot project results in the availability of health care coverage to small employer groups through the pilot project at a premium rate that is at least twenty percent (20%) less than a comparable health benefit plan available to small employer groups in Indiana, an insurer may not enter into or enforce an agreement with the organization with which the pilot project is developed that contains a provision that:

(1) prohibits, or grants the insurer an option to prohibit, the organization from contracting with another insurer to accept lower payment for health care services than the payment specified in the agreement;

(2) requires, or grants the insurer an option to require, the organization to accept a lower payment from the insurer if the organization agrees with another insurer to accept lower payment for health care services;

(3) requires, or grants the insurer an option to require, termination, or renegotiation of the agreement if the organization agrees with another insurer to accept lower payment for health care services; or

(4) requires the organization to disclose the organization's reimbursement rates under contracts with other insurers.

(g) The office shall report to the legislative council in an electronic format under IC 5-14-6 concerning the development and implementation of a pilot project under this SECTION before December 1, 2008.

(h) Notwithstanding subsections (e) through (g), if the office determines that developing a pilot project under this SECTION is not feasible, the office shall report the determination of infeasibility to the legislative council in an electronic format under IC 5-14-6 not later than December 1, 2008.

(i) This SECTION expires December 31, 2013.

## **2007-175-22**

SECTION 22. The general assembly finds the following:

(1) The development of coal gasification facilities in Indiana that would use local coal resources for the production of substitute natural gas is in the public interest for purposes of:

(A) reducing the reliance of Indiana energy utilities on gas imports;

(B) mitigating price and supply risk;

(C) improving price stability; and

(D) promoting economic development and job creation.

(2) Coal gasification is encouraged by federal policies intended to increase the energy independence of the United States, including

through the availability of tax incentives and loan guarantees.

(3) Indiana has the necessary resources and infrastructure suitable for development of coal gasification facilities.

(4) The receipt of federal incentives for the development, construction, and financing of new coal gasification facilities in Indiana will be enhanced by Indiana energy utilities entering into long term contracts for the purchase of substitute natural gas produced by such facilities.

(5) It is necessary to allow Indiana energy utilities to recover, through rate adjustments for the utility's customers, costs incurred from entering into supply contracts for substitute natural gas in order to promote the creation of such contracts without causing Indiana energy utilities to incur undue risk.

#### **2007-175-23**

SECTION 23. IC 6-3.1-28-11, as amended by this act, applies to taxable years beginning after December 31, 2007.

#### **2007-178-5**

SECTION 5. IC 35-42-2-6, as amended by this act, applies only to acts committed after June 30, 2007.

#### **2007-180-13**

SECTION 13. (a) As used in this SECTION, "PERF board" refers to the public employees' retirement fund board of trustees established by IC 5-10.3-3-1.

(b) As used in this SECTION, "fund" refers to the fund for the defined contribution plan of the legislators' retirement system established by IC 2-3.5-3-2.

(c) Beginning January 1, 2004, the PERF board shall conduct a pilot program concerning:

- (1) the implementation of a member's investment selection; and
- (2) the crediting of a member's contributions and earnings;

for the fund.

(d) The pilot program referred to in subsection (c) must include the following elements:

(1) Notwithstanding IC 2-3.5-5-3(b)(2), the PERF board shall implement a member's selection under IC 2-3.5-5-3 not later than the next business day following receipt of the member's selection by the PERF board. This date is the effective date of the member's selection.

(2) Notwithstanding IC 2-3.5-5-3(b)(7), all contributions to a member's account in the fund must be allocated under IC 2-3.5-5-3 not later than the last day of the quarter in which the contributions are received and reconciled in accordance with the member's most recent effective direction.

(3) Notwithstanding IC 2-3.5-5-3(c) and IC 2-3.5-5-3(d), when a member retires, becomes disabled, dies, or withdraws from the fund, the amount credited to the member is the market value of the member's investment as of five (5) business days preceding the member's distribution or annuitization at retirement, disability,



death, or withdrawal, plus contributions received after that date.  
(4) Notwithstanding IC 2-3.5-5-4, contributions to the fund under IC 2-3.5-5-4 must be credited to the fund not later than the last day of the quarter in which the contributions were deducted.

(5) Notwithstanding IC 2-3.5-5-5 (before its repeal on January 1, 2009) or IC 2-3.5-5-5.5, the state shall make contributions under IC 2-3.5-5-5 (before its repeal on January 1, 2009) or IC 2-3.5-5-5.5 to the fund not later than the last day of each quarter. Contributions made by the state before January 1, 2009, must equal twenty percent (20%) of the annual salary received by each participant during that quarter. After December 31, 2008, the amount of the state's contributions is determined under IC 2-3.5-5-5.5.

(e) Before November 1 of each year, the PERF board shall report to the pension management oversight commission established by IC 2-5-12 the results of the pilot program referred to in subsection (c) and shall recommend proposed legislation if the report includes a finding that the pilot program should be implemented on a permanent basis. If the PERF board recommends implementing the pilot program on a permanent basis, the PERF board shall provide to the pension management oversight commission a schedule to implement the elements of the pilot program on a permanent basis for all funds for which it has responsibility.

(f) This SECTION expires July 1, 2010.

#### **2007-180-14**

SECTION 14. IC 5-10-5.5-7.5, as added by this act, and IC 5-10-5.5-8, as amended by this act, apply after June 30, 2007, to active participants in the state excise police, gaming agent, and conservation enforcement officers' retirement plan established by IC 5-10-5.5-2.

#### **2007-180-15**

SECTION 15. IC 5-10-5.5-10, IC 5-10-5.5-11, and IC 5-10-5.5-12, all as amended by this act, apply to participants of the state excise police, gaming agent, and conservation enforcement officers' retirement plan established by IC 5-10-5.5-2 who retire after June 30, 2007.

#### **2007-180-16**

SECTION 16. IC 5-10-5.5-7 and IC 5-10-5.5-13.5, both as amended by this act, apply to participants of the state excise police, gaming agent, and conservation enforcement officers' retirement plan established by IC 5-10-5.5-2 who become disabled after June 30, 2007.

#### **2007-182-5**

SECTION 5. IC 6-2.5-7-5, as amended by this act, applies to reporting periods ending after June 30, 2007.

#### **2007-182-6**

SECTION 6. (a) There is appropriated to the department of agriculture one million dollars (\$1,000,000) from the state general fund

for deposit in the E85 fueling station grant fund established under IC 15-9-5, as added by this act, beginning July 1, 2007, and ending June 30, 2008.

(b) This SECTION expires July 1, 2008.

#### **2007-182-7**

SECTION 7. (a) IC 8-14-2-8, as added by this act, applies to a political subdivision's purchase of E85 (as defined in IC 6-6-1.1-103(s)) occurring after December 31, 2007.

(b) A political subdivision may not claim an E85 incentive payment for any purchase of E85 occurring after December 31, 2014.

#### **2007-183-11**

SECTION 11. IC 6-1.1-12-2, IC 6-1.1-12-10.1, IC 6-1.1-12-12, IC 6-1.1-12-15, IC 6-1.1-12-17, IC 6-1.1-12-17.5, IC 6-1.1-12-27.1, IC 6-1.1-12-30, IC 6-1.1-12-35.5, and IC 6-1.1-20.9-3, all as amended by this act, apply only to property taxes first due and payable after December 31, 2007.

#### **2007-183-12**

SECTION 12. (a) This SECTION applies instead of IC 6-1.1-12-35.5 before its amendment by this act. Except as provided in IC 6-1.1-12-36, a person who desires to claim the deduction provided by IC 6-1.1-12-31, IC 6-1.1-12-33, IC 6-1.1-12-34, or IC 6-1.1-12-34.5 must file a certified statement in duplicate, on forms prescribed by the department of local government finance, and proof of certification under subsection (b) or (f) with the auditor of the county in which the property for which the deduction is claimed is subject to assessment. Except as provided in subsection (e), with respect to property that is not assessed under IC 6-1.1-7, the person must file the statement during the twelve (12) months before June 11 of the assessment year. The person must file the statement in each year for which the person desires to obtain the deduction. With respect to a property that is assessed under IC 6-1.1-7, the person must file the statement during the twelve (12) months before March 31 of each year for which the person desires to obtain the deduction. The statement may be filed in person or by mail. If mailed, the mailing must be postmarked on or before the last day for filing. On verification of the statement by the assessor of the township in which the property for which the deduction is claimed is subject to assessment, the county auditor shall allow the deduction.

(b) This subsection does not apply to an application for a deduction under IC 6-1.1-12-34.5. The department of environmental management, upon application by a property owner, shall determine whether a system or device qualifies for a deduction provided by IC 6-1.1-12-31, IC 6-1.1-12-33, or IC 6-1.1-12-34. If the department determines that a system or device qualifies for a deduction, the department shall certify the system or device and provide proof of the certification to the property owner. The department shall prescribe the form and manner of the certification process required by this subsection.

(c) This subsection does not apply to an application for a deduction under IC 6-1.1-12-34.5. If the department of environmental management receives an application for certification before May 11 of the assessment year, the department shall determine whether the system or device qualifies for a deduction before June 11 of the assessment year. If the department fails to make a determination under this subsection before June 11 of the assessment year, the system or device is considered certified.

(d) A denial of a deduction claimed under IC 6-1.1-12-31, IC 6-1.1-12-33, IC 6-1.1-12-34, or IC 6-1.1-12-34.5 may be appealed as provided in IC 6-1.1-15. The appeal is limited to a review of a determination made by the township assessor, county property tax assessment board of appeals, or department of local government finance.

(e) A person who timely files a personal property return under IC 6-1.1-3-7(a) for an assessment year and who desires to claim the deduction provided in IC 6-1.1-12-31 for property that is not assessed under IC 6-1.1-7 must file the statement described in subsection (a) during the twelve (12) months before June 11 of that year. A person who obtains a filing extension under IC 6-1.1-3-7(b) for an assessment year must file the application between March 1 and the extended due date for that year.

(f) This subsection applies only to an application for a deduction under IC 6-1.1-12-34.5. The center for coal technology research established by IC 21-47-4-1, upon receiving an application from the owner of a building, shall determine whether the building qualifies for a deduction under IC 6-1.1-12-34.5. If the center determines that a building qualifies for a deduction, the center shall certify the building and provide proof of the certification to the owner of the building. The center shall prescribe the form and procedure for certification of buildings under this subsection. If the center receives an application for certification of a building under IC 6-1.1-12-34.5 before May 11 of an assessment year:

- (1) the center shall determine whether the building qualifies for a deduction before June 11 of the assessment year; and
- (2) if the center fails to make a determination before June 11 of the assessment year, the building is considered certified.

(g) This SECTION expires June 30, 2007.

#### **2007-184-63**

SECTION 63. (a) Notwithstanding IC 9-24-9-2(d)(1), as added by this act, the bureau of motor vehicles shall carry out the duties imposed upon the bureau of motor vehicles under IC 9-24-9-2(d)(1), as added by this act, under interim written guidelines approved by the commissioner of the bureau of motor vehicles.

(b) This SECTION expires on the earlier of the following:

- (1) The date rules are adopted under IC 9-24-9-2(d)(1), as added by this act.
- (2) December 31, 2008.

#### **2007-184-64**

SECTION 64. (a) The bureau of motor vehicles shall adopt a written exceptions process to create exceptions under which licenses, permits, and identification cards may be issued pursuant to federal law under IC 9-24-9-2, IC 9-24-11-5, IC 9-24-16-2, and IC 9-24-16-3, all as amended by this act, to:

- (1) individuals whose addresses have been suppressed under state or federal court orders;
- (2) individuals whose addresses are protected under section 384 of the federal Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101f); and
- (3) individuals who have no fixed addresses;

without requiring the individuals to provide all of the information that would otherwise be required under IC 9-24-9-2, IC 9-24-11-5, IC 9-24-16-2, and IC 9-24-16-3, all as amended by this act.

(b) This SECTION expires on the earlier of the following:

- (1) The date a written exceptions process is adopted under subsection (a).
- (2) December 31, 2008.

#### **2007-184-65**

SECTION 65. (a) As used in this SECTION, "bureau" means the bureau of motor vehicles established by IC 9-14-1-1.

(b) Notwithstanding IC 9-24-12-1(c), as amended by this act, an operator's license issued:

- (1) after May 14, 2007, and before January 1, 2008, expires at midnight on the birthday of the holder that occurs five (5) years following the date of issuance;
- (2) after December 31, 2007, and before January 1, 2009, expires at midnight on the birthday of the holder that occurs four (4) years following the date of issuance; and
- (3) after December 31, 2008, expires at midnight on the birthday of the holder that occurs six (6) years following the date of issuance.

(c) Notwithstanding IC 9-29-9-2, the fee for an operator's license issued under IC 9-24 is:

- (1) seven dollars and fifty cents (\$7.50) for an operator's license issued after May 14, 2007, and before January 1, 2008;
- (2) six dollars (\$6) for an operator's license issued after December 31, 2007, and before January 1, 2009; and
- (3) nine dollars (\$9) for an operator's license issued after December 31, 2008.

(d) An additional fee, other than a fee set forth in subsection (c), that is assessed or collected by the bureau under IC 9-16 or IC 9-29-3-19 for the issuance of an operator's license after May 14, 2007, and before January 1, 2009, shall be at the rate set forth in:

- (1) a statute; or
- (2) a rule adopted under IC 4-22-2;

as of May 14, 2007.

(e) This SECTION expires December 31, 2009.

#### **2007-184-66**

SECTION 66. The rules adopted by the bureau of motor vehicles before July 1, 2007, concerning:

- (1) IC 9-23-1;
- (2) IC 9-23-2;
- (3) IC 9-23-3; and
- (4) IC 9-23-6;

are considered, after June 30, 2007, rules of the secretary of state.

**2007-185-29**

SECTION 29. (a) The private detective licensing board is abolished. The powers, rights, obligations, functions, liabilities, and assets of the private detective licensing board as of June 30, 2007, shall be transferred to the private investigator and security guard licensing board, as established by this act on July 1, 2007.

(b) This SECTION expires July 1, 2009.

**2007-185-30**

SECTION 30. (a) Notwithstanding IC 25-30-1-5.2, as added by this act, the initial terms of the members of the private investigator and security guard licensing board are as follows:

- (1) The term of a member appointed under IC 25-30-1-5.2(b)(2)(A) and IC 25-30-1-5.2(b)(2)(C), as added by this act, is two (2) years.
- (2) The term of a member appointed under IC 25-30-1-5.2(b)(2)(B) and IC 25-30-1-5.2(b)(2)(D), as added by this act, is three (3) years.

(b) This SECTION expires July 1, 2011.

**2007-185-31**

SECTION 31. (a) The definitions in IC 25-30-1-2 and IC 25-30-1.3-1 through IC 25-30-1.3-5 apply throughout this SECTION.

(b) Notwithstanding IC 25-30-1, as amended by this act, and IC 25-30-1.3, as added by this act, the board may issue a license as a private investigator firm or a security guard agency to a person that:

- (1) holds a license as a private detective business under IC 25-30-1, as amended by this act, on June 30, 2007; and
- (2) verifies to the board before December 31, 2007, that the person meets the qualifications required to hold a license as a:
  - (A) private investigator firm under IC 25-30-1; or
  - (B) security guard agency under IC 25-30-1.3.

(c) This SECTION expires January 1, 2008.

**2007-191-22**

SECTION 22. (a) As used in this SECTION, "account" means the motor vehicle highway account established in IC 8-14-1.

(b) The funds that remain on July 1, 2007 in the abandoned vehicle fund established by IC 9-22-1-28, as repealed by this act, shall be transferred to the account.

(c) This SECTION expires December 31, 2007.

**2007-193-5**

SECTION 5. (a) As used in this SECTION, "commission" refers to the prenatal substance abuse commission established by subsection (b).

(b) The prenatal substance abuse commission is established to develop and recommend a coordinated plan to improve early intervention and treatment for pregnant women who abuse alcohol or drugs or use tobacco.

(c) The commission consists of the following members:

(1) The state health commissioner or the commissioner's designee.

(2) The director of the division of mental health and addiction or the director's designee.

(3) The director of the office of Medicaid policy and planning or the director's designee.

(4) The director of the department of child services or the director's designee.

(5) One (1) physician specializing in addiction treatment of pregnant women.

(6) One (1) physician specializing in the care of pregnant women.

(7) One (1) social worker certified in the treatment of alcohol, tobacco, and other drug abuse.

(8) One (1) woman who has received treatment for alcohol, tobacco, or other drug abuse during pregnancy.

(9) One (1) advocate recommended by the March of Dimes, Indiana Chapter.

(10) One (1) prosecuting attorney or a deputy prosecuting attorney who practices in a drug court established under IC 12-23-14.5.

(11) One (1) judge of a drug court established under IC 12-23-14.5.

(12) Two (2) members of the house of representatives. The members appointed under this subdivision may not be members of the same political party.

(13) Two (2) members of the senate. The members appointed under this subdivision may not be members of the same political party.

(14) An advanced practice nurse who has a collaborative agreement with a physician who specializes in addiction treatment for pregnant women or the care of pregnant women.

The speaker of the house of representatives shall appoint the members under subdivisions (5), (7), (9), (10), and (12) not later than August 15, 2007. The president pro tempore of the senate shall appoint the members under subdivisions (6), (8), (11), (13), and (14) not later than August 15, 2007. Vacancies shall be filled by the appointing authority for the remainder of the unexpired term.

(d) A majority of the members of the commission constitutes a quorum.

(e) The state department of health shall provide staff and administrative support for the commission.

(f) The state health commissioner or the commissioner's designee shall convene the first meeting of the commission before October 15,

2007. The commission shall elect a member of the commission to serve as chairperson of the commission. The commission shall meet at the call of the chairperson and shall meet as often as necessary to carry out the purpose of this SECTION. However, the commission shall meet at least quarterly.

(g) Members of the commission are not entitled to a salary per diem or reimbursement of expenses for service on the commission.

(h) The affirmative votes of a majority of the commission's members are required for the commission to take action on any measure.

(i) The commission shall submit reports to the governor and the legislative council as follows:

(1) Not later than August 15, 2008, an interim report that contains any interim findings and recommendations of the commission.

(2) Not later than August 15, 2009, a final report that contains the findings and recommendations of the commission and an implementation plan to improve early intervention and treatment for pregnant women who abuse alcohol or drugs or use tobacco.

The reports required under this subsection must be submitted in an electronic format under IC 5-14-6.

(j) This SECTION expires December 31, 2009.

#### **2007-196-3**

SECTION 3. (a) This SECTION applies to property that:

(1) is located in Vermillion County;

(2) is used and owned by Ferguson Recreation Park, Inc.; and

(3) the auditor of Vermillion County, in a reversal of past county practice, determined to be not eligible for a property tax exemption under IC 6-1.1-10-16 for property taxes first due and payable in 2007.

(b) Notwithstanding any other law, the auditor of Vermillion County shall:

(1) waive the 2006 determination of the county auditor; and

(2) grant the appropriate exemption.

(c) A property tax exemption granted under this SECTION applies to property taxes first due and payable in 2007.

(d) The general assembly finds that:

(1) the property described in this SECTION was previously determined by the auditor of Vermillion County to be eligible to receive a property tax exemption under IC 6-1.1-10-16;

(2) the interest of taxpayer fairness requires a restoration of the property tax exemptions for the property that have been denied for property taxes first due and payable in 2007; and

(3) the absence of other remedies for the taxpayers requires legislative action.

(e) This SECTION expires December 31, 2007.

#### **2007-196-4**

SECTION 4. (a) This SECTION applies to property that:

(1) is located in Vermillion County;

(2) is used and owned by Blandford Sports Club;

(3) the auditor of Vermillion County, in a reversal of past county

practice, determined to be not eligible for a property tax exemption under IC 6-1.1-10-16 for property taxes first due and payable in 2007; and

(4) was subject to a petition to the Indiana board of tax review that was denied by the Indiana board of tax review because the petitioner's Form 132 was untimely filed.

(b) Notwithstanding any other law, the auditor of the county in which the property described in subsection (a) is located shall:

- (1) waive the 2006 determination of the county auditor;
- (2) disregard the determination of the Indiana board of tax review; and
- (3) grant the appropriate exemption.

(c) A property tax exemption granted under this SECTION applies to property taxes first due and payable in 2007.

(d) The general assembly finds that:

- (1) the property described in this SECTION was previously determined by the auditor of Vermillion County to be eligible to receive a property tax exemption under IC 6-1.1-10-16;
- (2) the interest of taxpayer fairness requires a restoration of the property tax exemptions for the property that have been denied for property taxes first due and payable in 2007; and
- (3) the absence of other remedies for the taxpayers requires legislative action.

(e) This SECTION expires December 31, 2007.

#### **2007-196-5**

SECTION 5. (a) This SECTION applies to property that:

- (1) is located in Vermillion County;
- (2) is used and owned by the Universal Young Men's Club; and
- (3) the auditor of Vermillion County, in a reversal of past county practice, determined to be not eligible for a property tax exemption under IC 6-1.1-10-16 for property taxes first due and payable in 2007.

(b) Notwithstanding any other law, the auditor of Vermillion County shall:

- (1) waive the 2006 determination of the county auditor; and
- (2) grant the appropriate exemption.

(c) A property tax exemption granted under this SECTION applies to property taxes first due and payable in 2007.

(d) The general assembly finds that:

- (1) the property described in this SECTION was previously determined by the auditor of Vermillion County to be eligible to receive a property tax exemption under IC 6-1.1-10-16;
- (2) the interest of taxpayer fairness requires a restoration of the property tax exemptions for the property that have been denied for property taxes first due and payable in 2007; and
- (3) the absence of other remedies for the taxpayers requires legislative action.

(e) This SECTION expires December 31, 2007.

#### **2007-196-6**



SECTION 6. (a) This SECTION applies notwithstanding the following:

- (1) IC 6-1.1-3-7.5.
- (2) IC 6-1.1-10-31.1.
- (3) IC 6-1.1-11.
- (4) 50 IAC 4.2-2.
- (5) 50 IAC 4.2-3.
- (6) 50 IAC 4.2-11.
- (7) 50 IAC 4.2-12.
- (8) All of the following as in effect before being voided by IC 6-1.1-3-22:
  - (A) 50 IAC 4.3-2.
  - (B) 50 IAC 4.3-3.
  - (C) 50 IAC 4.3-11.
  - (D) 50 IAC 4.3-12.
- (9) 50 IAC 16.

(b) As used in this SECTION, "amended return" means an amended personal property tax return submitted for filing by a taxpayer after December 31, 2006, and before March 1, 2007, for the assessment dates.

(c) As used in this SECTION, "assessment dates" refers to assessment dates (as defined in IC 6-1.1-1-2(1)) in 2002, 2003, and 2004.

(d) As used in this SECTION, "return" refers to the personal property tax return required under IC 6-1.1-3-7.

(e) As used in this SECTION, "taxpayer" means a taxpayer that:

- (1) filed original returns under IC 6-1.1-3-7 for the assessment dates; and
- (2) submitted for filing amended returns for the assessment dates.

(f) The amended returns:

- (1) are allowed; and
- (2) are considered to have been timely filed.

(g) A taxpayer is entitled to the exemptions for tangible personal property claimed on:

- (1) Schedule B of the amended returns; and
- (2) the Form 103-W filed with the amended returns.

(h) Any notice of increased assessed value issued by a township assessor with respect to personal property that is the subject of an amended return is considered withdrawn and nullified.

(i) IC 6-1.1-37-7, IC 6-1.1-37-9, and IC 6-1.1-37-10 do not apply to any additional personal property taxes owed by a taxpayer as a result of filing an amended return.

(j) A taxpayer is not entitled to a refund with respect to any amended return filed by the taxpayer under this SECTION.

(k) This SECTION expires July 1, 2008.

#### **2007-196-7**

SECTION 7. (a) The definitions in IC 6-1.1-1 apply to this SECTION.

(b) This SECTION applies only to an entity that meets all of the following conditions:

- (1) The entity is:
  - (A) a nonprofit corporation that is organized for educational, literary, scientific, religious, or charitable purposes; or
  - (B) a local chapter of a nonprofit corporation referred to in clause (A).
- (2) For the assessment date in a calendar year after 2000:
  - (A) tangible property owned by the entity was, except for the entity's failure to timely file an application under IC 6-1.1-11 for property tax exemption, otherwise eligible for an exemption;
  - (B) the entity failed to timely file an application under IC 6-1.1-11 for property tax exemption for the tangible property for the assessment date; and
  - (C) the entity's tangible property was subject to taxation for the assessment date.
- (3) The tangible property, or other property owned by the entity in the same county, was exempt from taxation in either:
  - (A) the calendar year before the year containing the assessment date described in subdivision (2); or
  - (B) the calendar year two (2) years before the year containing the assessment date described in subdivision (2).

(c) Notwithstanding any provision of IC 6-1.1-11 or any other law specifying the date by which an application for property tax exemption must be filed to claim an exemption for a particular assessment date, an entity described in subsection (b) may before January 1, 2008, file with the county assessor an application for property tax exemption for an assessment date described in subsection (b)(2).

(d) Notwithstanding any provision of IC 6-1.1-11 or any other law, an application for property tax exemption filed under subsection (c) is considered to be timely filed, and the county property tax assessment board of appeals shall grant an exemption claimed for the assessment date on the application upon the county property tax assessment board of appeals's determination that:

- (1) the entity's application for property tax exemption satisfies all other applicable requirements; and
- (2) the entity's tangible property was, except for the failure to timely file an application for property tax exemption, otherwise eligible for the claimed exemption.

(e) If an entity has previously paid the tax liability for tangible property for an assessment date and the property is granted an exemption under this SECTION for that assessment date, the county auditor shall issue a refund of the property tax paid by the entity. An entity is not required to apply for any refund due under this SECTION. The county auditor shall, without an appropriation being required, issue a warrant to the entity payable from the county general fund for the amount of the refund, if any, due the entity. No interest is payable on the refund.

(f) This SECTION expires January 1, 2009.

#### **2007-196-8**

SECTION 8. IC 6-1.1-10-16, as amended by this act, applies only

to property taxes first due and payable after 2007.

**2007-197-95**

SECTION 95. (a) The definitions in IC 25-35.6-1-2 apply throughout this SECTION.

(b) Notwithstanding IC 25-35.6, as amended by this act, concerning issuance of a license, the Indiana professional licensing agency shall issue a license in speech-language pathology as follows:

(1) To each individual who applies for licensure and meets all the following qualifications:

(A) Holds a license in speech and hearing therapy issued by the division of professional standards established within the department of education by IC 20-28-2-1.5 (referred to as "the division of professional standards" in this SECTION).

(B) Has a master's degree in speech-language pathology or a related discipline.

(C) Has been employed as a speech-language pathologist for at least nine (9) months in the last five (5) years.

(2) To each individual who applies for licensure and meets all the following qualifications:

(A) Holds a life license in speech-language pathology issued by the division of professional standards.

(B) Has:

(i) been employed as a speech-language pathologist for at least nine (9) months in the last five (5) years; or

(ii) taken at least thirty-six (36) hours of continuing education approved by the division of professional standards or the Indiana professional licensing agency after December 31, 2004, and before December 31, 2010.

(c) This SECTION expires January 1, 2011.

**2007-197-96**

SECTION 96. (a) If an individual is certified as an occupational therapist under IC 25-23.5 on June 30, 2007, the individual is considered to be a licensed occupational therapist under IC 25-23.5, as amended by this act, on July 1, 2007. The license of an individual described in this subsection expires on the date the individual's certification that the license is replacing would have expired if this act had not been enacted.

(b) The occupational therapy committee established by IC 25-23.5-2-1 shall issue a license under IC 25-23.5-5-6, as amended by this act, to an individual described in subsection (a). However, the occupational therapy committee and the Indiana professional licensing agency are not required to issue:

(1) a wall license; or

(2) a pocket license;

to an individual described in subsection (a) until the license renewal period beginning November 1, 2008.

(c) The medical licensing board of Indiana may adopt temporary rules in the manner provided for emergency rule adoption under IC 4-22-2-37.1 to implement IC 25-23.5, as amended by this act. A

temporary rule adopted under this subsection expires on the earliest of the following:

- (1) The date that the temporary rule is superseded by another temporary rule adopted under this subsection.
- (2) The date that the temporary rule is superseded by a rule adopted under IC 4-22-2.
- (3) The date specified in the temporary rule.
- (4) July 1, 2009.
- (d) This SECTION expires July 1, 2010.

#### **2007-197-97**

SECTION 97. (a) This SECTION applies only to a person who is employed with a home health agency or a personal services agency on June 30, 2007, to provide services in a patient's or client's temporary or permanent residence.

(b) The definitions under IC 16-27-2 apply throughout this SECTION.

(c) Notwithstanding IC 10-13-3-39 and IC 16-27-2-4, both as amended by this act, a home health agency or personal services agency is not required to apply for a determination concerning the national criminal history background check of a person to whom this SECTION applies until July 1, 2008.

(d) Notwithstanding IC 16-27-2-5, as amended by this act, a home health agency or personal services agency may employ a person to whom this SECTION applies to provide services in a patient's or client's temporary or permanent residence for more than twenty-one (21) days without receipt of the determination concerning the person's national criminal history background check. However, a home health agency or personal services agency may not employ a person to whom this SECTION applies to provide services in a patient's or client's temporary or permanent residence for more than twenty-one (21) days after July 1, 2008, unless either the state police department or the Federal Bureau of Investigation under IC 10-13-3-39 is responsible for failing to provide the determination of the person's national criminal history background check to the home health agency or personal services agency within the time required under this subsection.

(e) This SECTION expires December 31, 2008.

#### **2007-199-4**

SECTION 4. (a) IC 4-23-24.1-3, as amended by this act, applies only to members of the Dr. Martin Luther King Jr. Indiana holiday commission appointed by the governor after December 31, 2008. A member of the commission appointed by the governor under IC 4-23-24.1-3(1) before January 1, 2009, may serve the entire four (4) year term to which the member was appointed, as provided in IC 4-23-24.1-4(b).

#### **2007-200-9**

SECTION 9. (a) As used in this SECTION, "board" refers to the state board of massage therapy established by IC 25-21.8-2-1, as added by this act.

(b) The governor shall make initial appointments to the board not later than January 1, 2008. The initial members of the board shall serve for the following terms:

(1) One (1) member appointed under IC 25-21.8-2-2(1), as added by this act, serves for one (1) year.

(2) One (1) member appointed under IC 25-21.8-2-2(1), as added by this act, and one (1) member appointed under IC 25-21.8-2-2(2), as added by this act, serve for two (2) years.

(3) One (1) member appointed under IC 25-21.8-2-2(1), as added by this act, and one (1) member appointed under IC 25-21.8-2-2(2), as added by this act, serve for three (3) years.

(c) An individual who does not meet the requirements of IC 25-21.8-2-2(1), as added by this act, may be appointed to the board if the individual:

(1) substantially meets the requirements of licensure under IC 25-21.8, as added by this act;

(2) currently practices massage therapy in Indiana; and

(3) has practiced massage therapy in Indiana after June 1, 2004, for at least three (3) consecutive years.

(d) The three (3) members appointed under IC 25-21.8-2-2(1), as added by this act, are not required to be members of a professional massage therapy association. However:

(1) not more than one (1) massage therapist member appointed to the board may belong to the same professional massage therapy association; and

(2) one (1) massage therapist member must not be a member of a professional massage therapy association.

(e) This SECTION expires July 1, 2011.

#### **2007-200-10**

SECTION 10. (a) Notwithstanding IC 25-21.8-2-2, as added by this act, the state board of massage therapy established by IC 25-21.8-2-1, as added by this act, may issue a certification before July 1, 2009, to an applicant who practiced massage therapy in Indiana after June 30, 2001, and before July 1, 2009, if the applicant meets the condition set forth in one (1) of the following subdivisions:

(1) Either:

(A) provides the board with Internal Revenue Service income tax return forms from two (2) consecutive years that reflect that the applicant has been employed in the practice of massage therapy;

(B) provides the board with business records from two (2) consecutive years that reflect that the applicant has been employed in the practice of massage therapy; or

(C) has completed at least five hundred (500) hours of supervised classroom and hands on instruction.

(2) Provides a copy of a diploma, a transcript, a certificate, or another proof of completion of:

(A) a massage therapy school accredited by:

(i) the Indiana commission on proprietary education established by IC 20-12-76-11; or

- (ii) another state where the standards for massage therapy education are substantially equivalent to the standards in Indiana; or
- (B) a program at an institution of higher learning that is approved by the board.
- (b) An applicant who begins practicing massage therapy in Indiana after January 1, 2009, must meet the certification requirements set forth in IC 25-21.8, as added by this act, to be certified under IC 25-21.8, as added by this act.
- (c) Notwithstanding IC 25-21.8-4-2 and IC 25-21.8-5, both as added by this act, the state board of massage therapy may issue a certification to an applicant who:
  - (1) before July 1, 2007, enrolled in a massage therapy school or program that:
    - (A) required at least five hundred (500) hours of supervised classroom and hands on instruction; and
    - (B) was in good standing with a state, regional, or national agency of government charged with regulating massage therapy or programs; and
  - (2) before January 1, 2008, completes the requirements of the massage therapy school or program described in subdivision (1).
- (d) This SECTION expires July 1, 2010.

#### **2007-200-11**

SECTION 11. (a) Before December 31, 2008, the state board of massage therapy established by IC 25-21.8-2-1, as added by this act, shall adopt at least two (2) certification examinations as required under IC 25-21.8-3-1(a)(9), as added by this act, that an individual may use as the basis for complying with IC 25-21.8-4-2(1)(D), as added by this act.

- (b) This SECTION expires December 31, 2009.

#### **2007-201-2**

SECTION 2. IC 5-10.4-4-8, as amended by this act, applies to members of the Indiana state teachers' retirement fund who retire after June 30, 2007.

#### **2007-201-3**

SECTION 3. (a) As used in this SECTION, "committee" refers to the interim study committee on teachers' retirement fund benefits established by this SECTION.

(b) There is established the interim study committee on teachers' retirement fund benefits. The committee shall study the benefit structure of the state teachers' retirement fund established under IC 5-10.4.

(c) The committee shall operate under the policies governing study committees adopted by the legislative council.

(d) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

- (e) This SECTION expires December 31, 2007.

**2007-203-9**

SECTION 9. (a) The definitions in IC 8-15.7-2, as amended by this act, apply throughout this SECTION.

(b) The department shall submit an annual report to the legislative council in an electronic format under IC 5-14-6. The report under this subsection must include detailed information on the department's efforts concerning:

- (1) the development;
- (2) the financing;
- (3) the operation; or
- (4) any combination of the development, financing, and operation; of passenger or freight railroad systems as described in IC 8-15.7-2-14(a)(4), as amended by this act, through public-private agreements.

(c) This SECTION expires July 1, 2012.

**2007-203-10**

SECTION 10. (a) As used in this SECTION, "department" refers to the Indiana department of transportation established by IC 8-23-2-1.

(b) Before December 1, 2007, the department shall commission six (6) studies concerning mass transit in each of the following regions:

(1) Central Indiana, consisting of the following counties:

- (A) Boone.
- (B) Delaware.
- (C) Hamilton.
- (D) Hancock.
- (E) Hendricks.
- (F) Johnson.
- (G) Madison.
- (H) Marion.
- (I) Monroe.
- (J) Morgan.
- (K) Shelby.

(2) Northwest Indiana.

(3) Northeast Indiana.

(4) South central Indiana, including Monroe County.

(5) Southwest Indiana.

(6) Southeast Indiana.

(c) Each of the studies specified in subsection (b) must analyze the following aspects of mass transit systems:

- (1) The need to use public transportation to mitigate traffic congestion on a statewide basis.
- (2) Ways to address the demand for workforce transportation that are reliable and secure.
- (3) Ways to eliminate barriers to investment in public transportation created by the current structure of transportation funding.
- (4) Existing barriers to private investment in public transportation facilities, including tax inequities.
- (5) Effective ways of leveraging federal programs to supplement state funding of public transportation.

- (6) The relationship between land use and investment in public transportation infrastructure on a statewide basis.
- (7) The role that public transportation plays in promoting economic growth, improving the environment, and sustaining the quality of life.
- (8) Policies required to develop a mass transit system to support a growing population and the state's economy for the foreseeable future.
- (9) Transit oriented development.
- (10) Impact of mass transit on projected demographic patterns, including age populations.
- (11) Current and future commuter patterns in the identified counties.
- (12) Current trends in mass transit on a statewide basis.
- (13) A review of federal activities in the area of mass transit on a statewide basis.
- (14) Funding options for pilot mass transit and alternative transit systems.

(d) The department shall require winning bidders for the studies required by subsection (b) to submit final reports by January 1, 2009.

(e) The department shall transmit the results of the studies required by subsection (b) to the public and, in an electronic format under IC 5-14-6, to the general assembly and governor on or about January 1, 2009. If a winning bidder produces intermediate reports in the course of conducting a study, the department shall also transmit in a timely manner the results of those intermediate reports to the public and, in an electronic format under IC 5-14-6, to the general assembly and the governor.

(f) The department shall pay for the studies required by subsection (b) from money under the department's control, including money held in the following funds or accounts:

- (1) Federal highway account.
  - (2) Federal transit account.
  - (3) State planning and research fund.
  - (4) State's portion of the public mass transit fund.
- (g) This SECTION expires December 31, 2009.

#### **2007-203-11**

SECTION 11. (a) As used in this SECTION, "department" refers to the Indiana department of transportation.

(b) The department shall commission a study of the feasibility and implementation of a commuter rail system with service from Muncie to Indianapolis and from Indianapolis to Bloomington. The study:

- (1) must address the feasibility and implementation of stops in Anderson, Noblesville, Fishers, Indianapolis, and Bloomington; and
- (2) may address the feasibility and implementation of additional stops.

(c) The study required by this SECTION must include the following information:

- (1) Potential routes for the commuter rail system.



(2) An estimate of costs associated with implementing the commuter rail system.

(3) An estimate of the number of potential riders.

(4) An estimate of the effect on existing transportation systems.

(5) Any other relevant issues that may affect the implementation of a commuter rail system.

(d) The department may apply for any grants or enter into agreements with the Federal Transit Administration in accordance with 49 U.S.C. 5301 et seq. to complete the study.

(e) The department shall submit, not later than August 30, 2008, a copy of the results of the study in an electronic format under IC 5-14-6 to the executive director of the legislative services agency for distribution to the members of the general assembly.

(f) This SECTION expires December 31, 2008.

#### **2007-204-16**

SECTION 16. (a) The terms of the members of the Indiana recycling and energy development board are terminated on June 30, 2007.

(b) Before July 1, 2007, the governor shall appoint the members of the Indiana recycling market development board.

(c) This SECTION expires July 1, 2007.

#### **2007-204-17**

SECTION 17. (a) The environmental quality service council established under IC 13-13-7 shall study and make findings and recommendations concerning the following:

(1) Shortening the environmental rulemaking process for rules adopted under IC 13 by considering the following:

(A) Other state and local agency rulemaking processes.

(B) Other state environmental rulemaking processes.

(C) Negotiated rulemaking.

(D) Steps and requirements of rulemaking.

(E) Professional boards and the relationship between boards and the office of environmental adjudication.

(2) The goals, funding, markets, and structure of recycling in Indiana.

(b) The environmental quality service council shall include its findings and recommendations developed under subsection (a) in the council's 2007 final report to the legislative council.

(c) This SECTION expires January 1, 2008.

#### **2007-207-30**

SECTION 30. IC 6-2.5-7-5.5, as added by this act, applies to reporting periods ending after June 30, 2007.

#### **2007-207-31**

SECTION 31. (a) The definitions in IC 15-4-10 apply to this SECTION.

(b) Money in the Indiana corn market development account under IC 15-4-10-24.5 shall be used to pay for the administrative costs of the requirements under IC 15-4-10, as amended by this act. However, if the money in the Indiana corn market development account is insufficient

to pay for the administrative costs, the council may borrow funds to pay for the administrative costs.

(c) Before September 1, 2007, the council shall prepare and deliver all necessary forms concerning assessment refunds and information concerning the operation of the program to all first purchasers.

(d) This SECTION expires July 1, 2008.

#### **2007-207-32**

SECTION 32. (a) The definitions in IC 15-4-10 apply to this SECTION.

(b) Notwithstanding IC 15-4-10-15(b), as amended by this act, the three (3) year term limit begins for individuals appointed by the council after July 1, 2007.

(c) This SECTION expires July 1, 2010.

#### **2007-210-3**

SECTION 3. (a) As used in this SECTION, "division" refers to the division of mental health and addiction established by IC 12-21-1-1.

(b) Before July 1, 2007, the division shall do the following:

(1) Compare other state regulation of methadone clinics with Indiana's regulation of methadone clinics.

(2) Review and address concerns regarding Indiana's regulation of methadone clinics that have been raised in public meetings and by community advocates.

(3) Prepare a report detailing the division's findings and actions concerning subdivisions (1) and (2) and submit the report:

(A) to the health finance commission established by IC 2-5-23-3; and

(B) to the general assembly in electronic format under IC 5-14-6.

(c) The director of the division shall testify to the health finance commission upon the commission's request during the 2007 interim of the general assembly concerning the adequacy of Indiana's regulation of methadone clinics and the contents of the report required in subsection (b).

(d) The health finance commission shall study the adequacy of Indiana's regulation of methadone clinics during the 2007 interim.

(e) This SECTION expires December 31, 2007.

#### **2007-211-50**

SECTION 50. (a) The commissioner of the department of state revenue shall revise any schedule specifying the adjusted rate of interest for excess tax payments as necessary to comply with IC 6-8.1-10-1, as amended by this act. A schedule revised under this SECTION takes effect July 1, 2007.

(b) This SECTION expires December 31, 2007.

#### **2007-211-51**

SECTION 51. IC 6-7-1-17, as amended by this act, applies only to cigarette stamps purchased by distributors after June 30, 2007.

**2007-211-52**

SECTION 52. IC 6-3-3-12, as amended by this act, applies to taxable years beginning after December 31, 2006.

**2007-211-53**

SECTION 53. IC 6-2.3-6-1 and IC 6-3-4-4.1, both as amended by this act, apply to taxable years beginning after December 15, 2007.

**2007-211-54**

SECTION 54. (a) As used in this SECTION, "department" refers to the department of state revenue.

(b) A retail merchant that sold tangible personal property to a person that used or consumed the tangible personal property in providing public transportation under IC 6-2.5-5-27 may verify that the sale was exempt from taxation under IC 6-2.5 by using the information contained in form ST-135 for the transaction.

(c) If a retail merchant provides the department with the information from form ST-135 to verify that a sale described in subsection (b) is exempt from taxation under IC 6-2.5, the retail merchant may request:

- (1) a refund of gross retail tax plus any penalties and interest paid to the department; or
- (2) that the department satisfy any outstanding gross retail tax liabilities, including any penalties and interest for tax liabilities; for the tangible personal property used or consumed in providing public transportation.

(d) This SECTION expires December 31, 2008.

**2007-211-55**

SECTION 55. IC 6-3-1-3.5, as amended by this act, applies to taxable years beginning after December 31, 2007.

**2007-211-56**

SECTION 56. (a) IC 6-2.5-6-10, as amended by this act, applies to reporting periods beginning after June 30, 2007.

(b) The amount of a retail merchant's state gross retail and use tax liability under IC 6-2.5 accrued during the period beginning after December 31, 2006, and ending before July 1, 2007, must be used to determine the applicable percentage applied under IC 6-2.5-6-10(b), as amended by this act, for a reporting period beginning after June 30, 2007, and ending before January 1, 2008.

**2007-211-57**

SECTION 57. IC 6-1.1-45-12, as amended by this act, applies to assessment dates occurring after February 28, 2007, for property taxes first due and payable after December 31, 2007.

**2007-211-58**

SECTION 58. IC 6-3-4-12, IC 6-3-4-13, and IC 6-8.1-10-2.1, all as amended by this act, apply to taxable years beginning after December 31, 2007.

**2007-212-32**

SECTION 32. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(b) The office shall apply to the United States Department of Health and Human Services for approval of an amendment to the state's Medicaid plan that is necessary to do the following:

- (1) Amend the state's upper payment limit program.
- (2) Make changes to the state's disproportionate share hospital program.

(c) The office may not implement an approved amendment to the state plan until the office files an affidavit with the governor attesting that the state plan amendment applied for under subsection (b)(1) or (b)(2) of this SECTION is in effect. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that the state plan amendment is approved.

(d) The office may adopt rules under IC 4-22-2 necessary to implement this SECTION.

(e) This SECTION expires December 31, 2013.

**2007-212-33**

SECTION 33. (a) Not later than November 1, 2008, the department of insurance and the office of the secretary of family and social services shall study and make a final recommendation to the legislative council, in an electronic format under IC 5-14-6, concerning the following:

- (1) A plan to provide health insurance coverage to individuals who:
  - (A) have a family income that is more than two hundred percent (200%) of the federal income poverty level; and
  - (B) are uninsured.

- (2) A health insurance program that would require local government employers, school corporations, and other public employers to join together to purchase employee health insurance coverage.

(b) The health finance commission shall study during the 2007 interim of the general assembly:

- (1) reimbursement rates to providers under; and
- (2) premium costs of; accident and sickness insurance policies and health maintenance organization contracts.

(c) This SECTION expires December 31, 2008.

**2007-212-34**

SECTION 34. (a) As used in this SECTION, "commission" refers to the health finance commission established by IC 2-5-23-3.

(b) The commission shall, during the 2007 legislative interim, study the following concerning the Indiana tobacco use prevention and cessation program:

- (1) The effectiveness of the program.
- (2) Whether the program should be transferred to the state department of health.

(c) This SECTION expires December 31, 2007.

**2007-212-35**

SECTION 35. (a) Not later than November 1, 2008, the office of the secretary of family and social services shall study and make a final recommendation to the legislative council, in an electronic format under IC 5-14-6, concerning the viability of keeping members of a family who are eligible for:

- (1) Medicaid;
- (2) the children's health insurance program; or
- (3) other state health care assistance plans;

together under the same health care plan by using health care accounts, market-based contributions by the recipients, assignment of Medicaid patients to private health insurance, or other health care plans.

(b) This SECTION expires December 31, 2008.

**2007-216-56**

SECTION 56. (a) As used in this SECTION, "committee" refers to the sentencing policy study committee established by subsection (c).

(b) The general assembly finds that a comprehensive study of sentencing laws and policies is desirable in order to:

- (1) ensure that sentencing laws and policies protect the public safety;
- (2) establish fairness and uniformity in sentencing laws and policies;
- (3) determine whether incarceration or alternative sanctions are appropriate for various categories of criminal offenses; and
- (4) maximize cost effectiveness in the administration of sentencing laws and policies.

(c) The sentencing policy study committee is established to evaluate sentencing laws and policies as they relate to:

- (1) the purposes of the criminal justice and corrections systems;
- (2) the availability of sentencing options; and
- (3) the inmate population in department of correction facilities.

If, based on the committee's evaluation under this subsection, the committee determines changes are necessary or appropriate, the committee shall make recommendations to the general assembly for the modification of sentencing laws and policies and for the addition, deletion, or expansion of sentencing options.

(d) The committee shall do the following:

- (1) Evaluate the existing classification of criminal offenses into felony and misdemeanor categories. In determining the proper category for each felony and misdemeanor, the committee shall consider, to the extent they have relevance, the following:

(A) The nature and degree of harm likely to be caused by the offense, including whether the offense involves property, irreplaceable property, a person, a number of persons, or a breach of the public trust.

(B) The deterrent effect a particular classification may have on the commission of the offense.

(C) The current incidence of the offense in Indiana.

(D) The rights of the victim.

- (2) Recommend structures to be used by a sentencing court in

determining the most appropriate sentence to be imposed in a criminal case, including any combination of imprisonment, probation, restitution, community service, or house arrest. The committee shall also consider the following:

- (A) The nature and characteristics of the offense.
- (B) The severity of the offense in relation to other offenses.
- (C) The characteristics of the defendant that mitigate or aggravate the seriousness of the criminal conduct and the punishment deserved for that conduct.
- (D) The number of the defendant's prior convictions.
- (E) The available resources and capacity of the department of correction, local confinement facilities, and community based sanctions.
- (F) The rights of the victim.

The committee shall include with each set of sentencing structures an estimate of the effect of the sentencing structures on the department of correction and local facilities with respect to both fiscal impact and inmate population.

(3) Review community corrections and home detention programs for the purpose of:

- (A) standardizing procedures and establishing rules for the supervision of home detainees; and
- (B) establishing procedures for the supervision of home detainees by community corrections programs of adjoining counties.

(4) Determine the long range needs of the criminal justice and corrections systems and recommend policy priorities for those systems.

(5) Identify critical problems in the criminal justice and corrections systems and recommend strategies to solve the problems.

(6) Assess the cost effectiveness of the use of state and local funds in the criminal justice and corrections systems.

(7) Recommend a comprehensive community corrections strategy based on the following:

- (A) A review of existing community corrections programs.
  - (B) The identification of additional types of community corrections programs necessary to create an effective continuum of corrections sanctions.
  - (C) The identification of categories of offenders who should be eligible for sentencing to community corrections programs and the impact that changes to the existing system of community corrections programs would have on sentencing practices.
  - (D) The identification of necessary changes in state oversight and coordination of community corrections programs.
  - (E) An evaluation of mechanisms for state funding and local community participation in the operation and implementation of community corrections programs.
  - (F) An analysis of the rate of recidivism of clients under the supervision of existing community corrections programs.
- (8) Propose plans, programs, and legislation for improving the

effectiveness of the criminal justice and corrections systems.

(9) Evaluate the use of faith based organizations as an alternative to incarceration.

(10) Study issues related to sex offenders, including:

- (A) lifetime parole;
- (B) GPS or other electronic monitoring;
- (C) a classification system for sex offenders;
- (D) recidivism; and
- (E) treatment.

(e) The committee may study other topics assigned by the legislative council or as directed by the committee chair. The committee may meet as often as necessary.

(f) The committee consists of twenty (20) members appointed as follows:

- (1) Four (4) members of the senate, not more than two (2) of whom may be affiliated with the same political party, to be appointed by the president pro tempore of the senate.
- (2) Four (4) members of the house of representatives, not more than two (2) of whom may be affiliated with the same political party, to be appointed by the speaker of the house of representatives.
- (3) The chief justice of the supreme court or the chief justice's designee.
- (4) The commissioner of the department of correction or the commissioner's designee.
- (5) The director of the Indiana criminal justice institute or the director's designee.
- (6) The executive director of the prosecuting attorneys council of Indiana or the executive director's designee.
- (7) The executive director of the public defender council of Indiana or the executive director's designee.
- (8) One (1) person with experience in administering community corrections programs, appointed by the governor.
- (9) One (1) person with experience in administering probation programs, appointed by the governor.
- (10) Two (2) judges who exercise juvenile jurisdiction, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the governor.
- (11) Two (2) judges who exercise criminal jurisdiction, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the governor.
- (12) One (1) board certified psychologist or psychiatrist who has expertise in treating sex offenders, appointed by the governor to act as a nonvoting advisor to the committee.

(g) The chairman of the legislative council shall appoint a legislative member of the committee to serve as the chairperson of the committee. Whenever there is a new chairman of the legislative council, the new chairman may remove the chairperson of the committee and appoint another chairperson.

(h) If a legislative member of the committee ceases to be a member of the chamber from which the member was appointed, the member

also ceases to be a member of the committee.

(i) A legislative member of the committee may be removed at any time by the appointing authority who appointed the legislative member.

(j) If a vacancy exists on the committee, the appointing authority who appointed the former member whose position is vacant shall appoint an individual to fill the vacancy.

(k) The committee shall submit:

(1) an interim report of the results of its study to the legislative council before November 1, 2008; and

(2) a final report of the results of its study to the legislative council before November 1, 2010.

The interim and final reports must be in an electronic format under IC 5-14-6.

(l) The Indiana criminal justice institute shall provide staff support to the committee.

(m) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, of interim study committees established by the legislative council.

(n) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including the final report.

(o) Except as otherwise specifically provided by this act, the committee shall operate under the rules of the legislative council. All funds necessary to carry out this act shall be paid from appropriations to the legislative council and legislative services agency.

(p) This SECTION expires December 31, 2010.

#### **2007-216-57**

SECTION 57. IC 35-38-1-29, as added by this act, and IC 11-8-8-17, IC 11-8-8-18, IC 35-42-4-3, IC 35-42-4-6, IC 35-42-4-9, IC 35-42-4-10, IC 35-42-4-11, IC 35-44-3-13, IC 35-50-6-1(e), and IC 35-50-6-1(i), all as amended by this act, apply only to offenses committed after June 30, 2007.

#### **2007-218-53**

SECTION 53. IC 6-3.1-31 and IC 6-3.1-31.2, both as added by this act, apply only to taxable years beginning after December 31, 2006.

#### **2007-218-54**

SECTION 54. Notwithstanding IC 6-7-1-14, revenue stamps paid for before July 1, 2007, and in the possession of a distributor may be used after June 30, 2007, only if the full amount of the tax imposed by IC 6-7-1-12, as effective after June 30, 2007, and as amended by this act, is remitted to the department of state revenue under the procedures prescribed by the department.

#### **2007-218-55**

SECTION 55. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.



(b) The office shall apply to the United States Department of Health and Human Services for any amendment to the state Medicaid plan or demonstration waiver that is needed to provide for presumptive eligibility for a pregnant woman described in IC 12-15-2-13, as amended by this act.

(c) The office may not implement the amendment or waiver until the office files an affidavit with the governor attesting that the amendment or waiver applied for under this SECTION is in effect. The office shall file the affidavit under this subsection not more than five (5) days after the office is notified that the amendment or waiver is approved.

(d) If the office receives approval for the amendment or waiver under this SECTION from the United States Department of Health and Human Services and the governor receives the affidavit filed under subsection (c), the office shall implement the amendment or waiver not more than sixty (60) days after the governor receives the affidavit.

(e) The office may adopt rules under IC 4-22-2 to implement this SECTION.

#### **2007-218-56**

SECTION 56. (a) IC 27-8-5-2, as amended by this act, and IC 27-8-5-28, as added by this act, apply to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after June 30, 2007.

(b) IC 27-13-7-3, as amended by this act, applies to a health maintenance organization contract that is entered into, delivered, amended, or renewed after June 30, 2007.

#### **2007-218-57**

SECTION 57. (a) The definitions in IC 12-15-44, as added by this act, apply to this SECTION.

(b) As used in this SECTION, "task force" refers to the Indiana check-up plan task force established by subsection (c).

(c) The Indiana check-up plan task force is established to:

- (1) study, monitor, provide guidance, and make recommendations to the state concerning the Indiana check-up plan;
- (2) develop methods to increase availability of affordable coverage for health care services for all Indiana residents;
- (3) develop an education and orientation program for individuals participating in the plan; and
- (4) make recommendations to the legislative council.

(d) The affirmative votes of a majority of the voting members appointed to the task force are required for the task force to take action on any measure, including final reports.

(e) The office of Medicaid policy and planning established by IC 12-8-6-1 shall staff the task force.

(f) The task force consists of the following voting members:

- (1) Four (4) members described in subsection (g)(1) through (g)(4) appointed by the speaker of the house of representatives, two (2) of whom are appointed based on the recommendation of the minority leader of the house of representatives and none of whom are legislators.

- (2) Four (4) members described in subsection (g)(5) through (g)(8) appointed by the president pro tempore of the senate, two (2) of whom are appointed based on the recommendation of the minority leader of the senate and none of whom are legislators.
- (3) Four (4) members described in subsection (g)(9) through (g)(12) appointed by the governor, not more than two (2) of whom are members of the same political party.

(g) The members appointed under subsection (f) must represent the following interests:

- (1) Hospitals.
- (2) Insurance companies.
- (3) Primary care providers.
- (4) Health professionals who are not primary care providers.
- (5) Minority health concern experts.
- (6) Business.
- (7) Organized labor.
- (8) Consumers.
- (9) Children's health issues.
- (10) Adult health issues.
- (11) Mental health issues.
- (12) Pharmaceutical industry.

(h) The secretary of the office of the secretary of family and social services shall call the first meeting of the task force, at which the members shall elect the chairperson of the task force.

(i) The task force shall report findings and make recommendations to the governor and to the legislative council in an electronic format under IC 5-14-6 as follows:

- (1) A report not later than November 1, 2008.
- (2) A final report not later than November 1, 2009.

(j) The task force members are not eligible for per diem reimbursement or reimbursement for expenses incurred for travel to and from task force meetings.

(k) This SECTION expires December 31, 2009.

#### **2007-218-58**

SECTION 58. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(b) The office shall apply to the United States Department of Health and Human Services for approval of a Section 1115 demonstration waiver or a Medicaid state plan amendment to develop and implement the following:

- (1) Health insurance coverage program to cover individuals who meet the following requirements:
  - (A) The individual is at least eighteen (18) years of age and less than sixty-five (65) years of age.
  - (B) The individual is a United States citizen and has been a resident of Indiana for at least twelve (12) months.
  - (C) The individual has an annual household income of not more than two hundred percent (200%) of the federal income poverty level.
  - (D) The individual is not eligible for health insurance coverage

through the individual's employer.

(E) The individual has been without health insurance coverage for at least six (6) months or is without health insurance coverage because of a change in employment.

(2) A premium assistance program described in IC 12-15-44-20, as added by this act.

(c) The office shall include in the waiver application or state plan amendment a request to fund the program in part by using:

(1) enhanced federal financial participation; and

(2) hospital care for the indigent dollars, upper payment limit dollars, or disproportionate share hospital dollars.

(d) The office may not implement the waiver or state plan amendment until the office:

(1) files an affidavit with the governor attesting that the federal waiver or amendment applied for under this SECTION is in effect; and

(2) has sufficient funding for the program.

The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that the waiver or amendment is approved.

(e) The office may adopt rules under IC 4-22-2 necessary to implement this SECTION.

(f) This SECTION expires December 31, 2013.

#### **2007-218-59**

SECTION 59. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(b) The office shall apply to the United States Department of Health and Human Services for approval of an amendment to the state's Medicaid plan that is necessary to do the following:

(1) Amend the state's upper payment limit program.

(2) Make changes to the state's disproportionate share hospital program.

(c) The office may not implement an approved amendment to the state plan until the office files an affidavit with the governor attesting that the state plan amendment applied for under subsection (b)(1) or (b)(2) of this SECTION is in effect. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that the state plan amendment is approved.

(d) The office may adopt rules under IC 4-22-2 necessary to implement this SECTION.

(e) This SECTION expires December 31, 2013.

#### **2007-218-60**

SECTION 60. (a) As used in this SECTION, "commission" refers to the health finance commission established by IC 2-5-23-3.

(b) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(c) The office shall report to the commission during the 2007 interim, updating the commission on the status of the development and implementation of the Indiana check-up plan established by

IC 12-15-44-3, as added by this act.

(d) The commission shall, during the 2007 interim of the general assembly, study the following:

(1) Whether the acute care hospital in Gary, Indiana, should be converted from a private corporation to a county hospital, a municipal hospital, or other governmental hospital. In considering whether a conversion should occur, the commission shall consider the following:

(A) Whether the conversion would result in better quality care that would be sufficient to meet the needs of the community.

(B) Whether the hospital's finances would be improved.

(C) The legal requirements to convert the hospital.

(2) Ways in which the state and other entities can encourage physicians to practice in rural and county hospitals.

(3) The manner in which a not-for-profit hospital can be converted into a county or municipal hospital.

(4) Federal guidelines concerning county hospitals and intergovernmental transfers.

(5) A prohibition against smoking in public places in Indiana.

(6) Mechanisms for providing programs to provide health care coverage for uninsured individuals in Indiana.

(7) Review of the use of sources of funding for Medicaid reimbursement and implications for the uses of the funding sources.

(e) This SECTION expires December 31, 2008.

#### **2007-218-61**

SECTION 61. (a) As used in this SECTION, "small employer" means any person, firm, corporation, limited liability company, partnership, or association actively engaged in business who, on at least fifty percent (50%) of the working days of the employer during the preceding calendar year, employed at least two (2) but not more than fifty (50) eligible employees, the majority of whom work in Indiana. In determining the number of eligible employees, companies that are affiliated companies or that are eligible to file a combined tax return for purposes of state taxation are considered one (1) employer.

(b) The commissioner of the department of insurance and the office of the secretary of family and social services may implement a program to allow two (2) or more small employers to join together to purchase health insurance, as described in IC 27-8-5-16(8), as amended by this act.

(c) The commissioner shall adopt rules under IC 4-22-2 necessary to implement this SECTION.

#### **2007-218-62**

SECTION 62. (a) There is annually transferred from the state general fund to the Indiana tobacco use prevention and cessation trust fund established by IC 4-12-4-10 one million two hundred thousand dollars (\$1,200,000) on a schedule determined by the office of management and budget. The transfer shall be treated as part of the amount described in IC 6-7-1-28.1(7), as added by this act. There is

annually appropriated to the Indiana tobacco use prevention and cessation executive board one million two hundred thousand dollars (\$1,200,000) from the state general fund for the purpose of tobacco education, prevention, and use control. The appropriation under this subsection is in addition to any other appropriation made by the general assembly to the Indiana tobacco use prevention and cessation executive board.

(b) There is appropriated from the Indiana check-up plan trust fund established by IC 12-15-44-17, as added by this act, for the period beginning July 1, 2007, and ending June 30, 2008, eleven million dollars (\$11,000,000) to the state department of health for use in childhood immunization programs. On June 30, 2008, the state department shall transfer to the Indiana check-up plan trust fund any unexpended funds appropriated to the state department under this subsection.

(c) There is appropriated from the Indiana check-up plan trust fund established by IC 12-15-44-17, as added by this act, for the period beginning July 1, 2008, and ending June 30, 2009, eleven million dollars (\$11,000,000) to the state department of health for use in childhood immunization programs. On June 30, 2009, the state department shall transfer to the Indiana check-up plan trust fund any unexpended funds appropriated to the state department under this subsection.

(d) The money in the Indiana check-up plan trust fund established by IC 12-15-44-17, as added by this act, is appropriated to the office of the secretary of family and social services for the period beginning July 1, 2007, and ending June 30, 2009, for the purposes of the fund.

#### **2007-219-151**

SECTION 151. (a) The definitions in IC 6-1.1-1 apply throughout this SECTION.

(b) This SECTION applies instead of IC 6-1.1-18-12.

(c) For purposes of this SECTION, "maximum rate" refers to the maximum:

- (1) property tax rate or rates; or
- (2) special benefits tax rate or rates;

referred to in the statutes listed in subsection (f).

(d) The maximum rate for taxes first due and payable after 2003 is the maximum rate that would have been determined under subsection (g) for taxes first due and payable in 2003 if subsection (g) had applied for taxes first due and payable in 2003.

(e) The maximum rate must be adjusted:

- (1) each time an annual adjustment of the assessed value of real property takes effect under IC 6-1.1-4-4.5; and
- (2) each time a general reassessment of real property takes effect under IC 6-1.1-4-4.

(f) The statutes to which subsection (c) refers are:

- (1) IC 8-10-5-17;
- (2) IC 8-22-3-11;
- (3) IC 8-22-3-25;
- (4) IC 12-29-1-1;

- (5) IC 12-29-1-2;
- (6) IC 12-29-1-3;
- (7) IC 12-29-3-6;
- (8) IC 13-21-3-12;
- (9) IC 13-21-3-15;
- (10) IC 14-27-6-30;
- (11) IC 14-33-7-3;
- (12) IC 14-33-21-5;
- (13) IC 15-1-6-2;
- (14) IC 15-1-8-1;
- (15) IC 15-1-8-2;
- (16) IC 16-20-2-18;
- (17) IC 16-20-4-27;
- (18) IC 16-20-7-2;
- (19) IC 16-22-14;
- (20) IC 16-23-1-29;
- (21) IC 16-23-3-6;
- (22) IC 16-23-4-2;
- (23) IC 16-23-5-6;
- (24) IC 16-23-7-2;
- (25) IC 16-23-8-2;
- (26) IC 16-23-9-2;
- (27) IC 16-41-15-5;
- (28) IC 16-41-33-4;
- (29) IC 20-46-2-3;
- (30) IC 20-46-6-5;
- (31) IC 20-49-2-10;
- (32) IC 23-13-17-1;
- (33) IC 23-14-66-2;
- (34) IC 23-14-67-3;
- (35) IC 36-7-13-4;
- (36) IC 36-7-14-28;
- (37) IC 36-7-15.1-16;
- (38) IC 36-8-19-8.5;
- (39) IC 36-9-6.1-2;
- (40) IC 36-9-17.5-4;
- (41) IC 36-9-27-73;
- (42) IC 36-9-29-31;
- (43) IC 36-9-29.1-15;
- (44) IC 36-10-6-2;
- (45) IC 36-10-7-7;
- (46) IC 36-10-7-8;
- (47) IC 36-10-7.5-19;
- (48) IC 36-10-13-5;
- (49) IC 36-10-13-7;
- (50) IC 36-10-14-4;
- (51) IC 36-12-7-7;
- (52) IC 36-12-7-8;
- (53) IC 36-12-12-10; and
- (54) any statute enacted after December 31, 2003, that:
  - (A) establishes a maximum rate for any part of the:

- (i) property taxes; or
  - (ii) special benefits taxes;
- imposed by a political subdivision; and
- (B) does not exempt the maximum rate from the adjustment under this section.

(g) The new maximum rate under a statute listed in subsection (f) is the tax rate determined under STEP SEVEN of the following STEPS:

STEP ONE: Determine the maximum rate for the political subdivision levying a property tax or special benefits tax under the statute for the year preceding the year in which the annual adjustment or general reassessment takes effect.

STEP TWO: Determine the actual percentage increase (rounded to the nearest one-hundredth percent (0.01%)) in the assessed value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the taxable property from the year preceding the year the annual adjustment or general reassessment takes effect to the year that the annual adjustment or general reassessment takes effect.

STEP THREE: Determine the three (3) calendar years that immediately precede the ensuing calendar year and in which a statewide general reassessment of real property does not first take effect.

STEP FOUR: Compute separately, for each of the calendar years determined in STEP THREE, the actual percentage increase (rounded to the nearest one-hundredth percent (0.01%)) in the assessed value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the taxable property from the preceding year.

STEP FIVE: Divide the sum of the three (3) quotients computed in STEP FOUR by three (3).

STEP SIX: Determine the greater of the following:

(A) Zero (0).

(B) The result of the STEP TWO percentage minus the STEP FIVE percentage.

STEP SEVEN: Determine the quotient of the STEP ONE tax rate divided by the sum of one (1) plus the STEP SIX percentage increase.

(h) The department of local government finance shall compute the maximum rate allowed under subsection (g) and provide the rate to each political subdivision with authority to levy a tax under a statute listed in subsection (f).

(i) This SECTION expires June 30, 2007.

#### **2007-219-152**

SECTION 152. (a) The legislative services agency shall prepare legislation for introduction in the 2008 regular session of the general assembly to correct statutes affected by this act.

(b) This SECTION expires July 1, 2008.

#### **2007-219-153**

SECTION 153. (a) The legislative council shall provide for an interim study committee to study the following topics:

(1) Whether there are ways to:

- (A) improve the efficiency of the system for real property sales disclosure established in IC 6-1.1-5.5; and
  - (B) decrease the administrative burden of real property sales disclosure on parties to a real property conveyance.
- (2) The role in the system of the department of local government finance and rulemaking by the department.
- (b) The department of local government finance shall provide information and recommendations to assist in the committee's study under subsection (a).
- (c) This SECTION expires January 1, 2008.

#### **2007-219-154**

SECTION 154. (a) This SECTION applies to a political subdivision's determination to issue bonds or enter into a lease rental only to the extent that the law under which the political subdivision intends to issue the bonds or enter into the lease rental applies IC 6-1.1-20 to the political subdivision's determination.

(b) The right of taxpayers to remonstrate against the issuance of bonds or a lease rental under IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2, as in effect before their amendment by this act, applies to a preliminary determination to issue bonds or enter into a lease rental made before the effective date of this SECTION.

(c) The right of registered voters to remonstrate against the issuance of bonds or a lease rental under IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2, both as amended by this act, applies to a preliminary determination to issue bonds or enter into a lease rental made on or after the effective date of this SECTION.

(d) This SECTION expires July 1, 2008.

#### **2007-219-155**

SECTION 155. (a) The state board of accounts shall before July 1, 2007, design and prepare the forms and instructions to be used under IC 6-1.1-20-3.1 and IC 6-1.1-20-3.2, both as amended by this act.

(b) This SECTION expires December 31, 2007.

#### **2007-219-156**

SECTION 156. (a) IC 6-1.1-15-1, as amended by this act, applies only to:

- (1) notices of review filed under IC 6-1.1-15-1, as amended by this act, after June 30, 2007; and
- (2) subsequent proceedings in connection with those notices of review.

(b) IC 6-1.1-15-2.1, before its repeal by this act, applies only to reviews initiated under IC 6-1.1-15-1 before July 1, 2007.

(c) IC 6-1.1-15-3 and IC 6-1.1-15-4, both as amended by this act, apply only to:

- (1) petitions for review filed under IC 6-1.1-15-3, as amended by this act, with respect to notices of action of a county property tax assessment board of appeals issued after June 30, 2007; and
- (2) subsequent proceedings in connection with those petitions for review.



(d) IC 6-1.1-8-30, IC 6-1.1-15-5, IC 6-1.1-26-2, IC 6-1.1-26-3, and IC 6-1.1-26-4, all as amended by this act, apply only to:

- (1) petitions for judicial review filed under IC 6-1.1-15-5, as amended by this act, with respect to final determinations of the Indiana board of tax review issued after June 30, 2007; and
- (2) subsequent proceedings in connection with those petitions for judicial review.

(e) IC 6-1.1-15-8 and IC 6-1.1-15-9, both as amended by this act, apply only to:

- (1) decisions of the Indiana tax court issued after June 30, 2007; and
- (2) subsequent proceedings in connection with those decisions.

#### **2007-219-157**

SECTION 157. IC 6-1.1-5.5-3, as amended by this act, applies only to a conveyance, as defined in IC 6-1.1-5.5-1, after December 31, 2007.

#### **2007-219-158**

SECTION 158. (a) IC 6-1.1-3-10 and IC 6-1.1-3-18, both as amended by this act, apply only to assessment dates after December 31, 2007.

(b) This SECTION expires January 1, 2010.

#### **2007-219-159**

SECTION 159. IC 6-1.1-18-12, IC 6-1.1-18-13, and IC 6-1.1-18.5-9.8, all as amended by this act, apply only to property taxes first due and payable after December 31, 2006.

#### **2007-219-160**

SECTION 160. IC 6-1.1-12.1-4, IC 6-1.1-12.1-4.1, IC 6-1.1-12.1-4.5, IC 6-1.1-12.1-4.8, IC 6-1.1-12.4-2, IC 6-1.1-12.4-3, IC 6-1.1-40-10, and IC 6-1.1-42-28, all as amended by this act, and IC 6-1.1-12.1-15, IC 6-1.1-12.4-14, IC 6-1.1-40-14, and IC 6-1.1-42-34, all as added by this act, apply only to corrections of assessed value deductions for assessment dates after December 31, 2007.

#### **2007-219-161**

SECTION 161. IC 6-1.1-12.1-1, as amended by this act, applies only to the installation of tangible personal property after December 31, 2005.

#### **2007-219-162**

SECTION 162. (a) The definitions in IC 6-1.1-1 apply throughout this SECTION.

(b) A reference in this SECTION to IC 6-1.1-15-1 is a reference to that section as in effect on July 1, 2006.

(c) Notwithstanding IC 6-1.1-15-1(b)(1), a taxpayer that receives a tax statement under IC 6-1.1-22 or a provisional tax statement under IC 6-1.1-22.5 for the first installment of property taxes first due and payable in 2007 may appeal the assessment under IC 6-1.1-15-1 by

requesting in writing a preliminary conference with the county or township official referred to in IC 6-1.1-15-1(a) not later than the later of:

- (1) forty-five (45) days after:
  - (A) the tax statement under IC 6-1.1-22; or
  - (B) provisional tax statement under IC 6-1.1-22.5;is given to the taxpayer; or
- (2) July 1, 2007.
- (d) This SECTION expires January 1, 2009.

**2007-219-163**

SECTION 163. IC 6-1.1-12-9, IC 6-1.1-12-14, and IC 6-1.1-12-17.4, all as amended by this act, apply to property taxes first due and payable after December 31, 2007.

**2007-220-3**

SECTION 3. IC 15-5-12-3.5, as added by this act, applies only to crimes committed after June 30, 2007.

**2007-221-48**

SECTION 48. (a) An underground storage tank system that contains fuel composed of greater than fifteen percent (15%) alcohol is considered to comply with IC 13-23-5-1(b), as added by this act, if either of the following applies:

- (1) The system predates the effective date of this act.
- (2) The system predates the solid waste management board's adoption after the effective date of this act of any additional rules concerning technical and safety requirements for storing and dispensing alcohol blended fuel.

(b) Replacement tanks or ancillary equipment installed in existing underground storage tank systems storing or dispensing alcohol blended fuels must meet the standards contained in additional rules adopted by the solid waste management board as described in subsection (a)(2) only if the installation occurs after the adoption of those rules.

**2007-221-49**

SECTION 49. The general assembly having received and considered testimony concerning possible unresolved questions about the statute of limitations that should apply to the environmental legal action statute (IC 13-30-9), and having determined that this matter should be carefully considered, directs the legislative council to provide for an interim study committee to study and make recommendations concerning the clarification of this matter.

**2007-223-11**

SECTION 11. (a) IC 6-3-1-3.5 and IC 6-5.5-1-2, both as amended by this act, apply only to taxable years beginning after December 31, 2007, for patents issued after December 31, 2007.

(b) IC 6-3-2-21.7, as added by this act, applies only to taxable years beginning after December 31, 2007.

(c) The department of state revenue may adopt rules and prescribe forms to implement IC 6-3-2-21.7, as added by this act.

**2007-224-139**

SECTION 139. IC 6-1.1-29.5, as added by this act, does not apply to any of the following:

- (1) The issuance of bonds or other obligations or the entering into a lease, if the preliminary determination to issue the bonds or other obligations or to enter into the lease is made before January 1, 2009.
- (2) The construction of a capital project, if the construction begins before January 1, 2009.
- (3) The entering into a contract for the construction of a capital project, if the contract is entered into before January 1, 2009.
- (4) The procuring of supplies necessary for construction of a capital project, if the supplies are procured or a contract for the procuring of the supplies is entered into before January 1, 2009.
- (5) The construction of a capital project, the entering into a contract for the construction of a capital project, or the procuring of supplies necessary for the construction of a capital project, if the issuance of bonds or other obligations, or the entering into a lease, to finance the capital project has been approved by the department of local government finance under IC 20-46-7 before January 1, 2009.

**2007-224-140**

SECTION 140. (a) Any matter pending before a county board of tax adjustment on December 31, 2008, is transferred to the county board of tax and capital projects review for that county on January 1, 2009.

(b) Any property and obligations of a county board of tax adjustment on December 31, 2008, are transferred to the county board of tax and capital projects review for that county on January 1, 2009.

(c) Each county board of tax adjustment is abolished on December 31, 2008. The term of a member serving on a county board of tax adjustment on December 31, 2008, expires December 31, 2008.

(d) This SECTION expires January 1, 2009.

**2007-224-141**

SECTION 141. (a) The legislative services agency shall prepare legislation for introduction in the 2008 regular session of the general assembly to organize and correct statutes affected by this act, if necessary.

(b) This SECTION expires January 1, 2009.

**2007-224-142**

SECTION 142. An ordinance adopted after January 1, 2007, and before April 1, 2007, under IC 6-3.5-1.1, IC 6-3.5-6, and IC 6-3.5-7, all as in effect before amendment by this act, takes effect October 1, 2007, and not July 1, 2007.

**2007-224-143**

SECTION 143. (a) As used in this SECTION, "committee" refers to the annexation study committee established by this SECTION.

(b) The annexation study committee is established. The committee shall study:

(1) revising the statutes concerning municipal annexation of territory. The committee's study may not include the annexation statutes in IC 36-3-2; and

(2) whether "one and fifteen hundredths (1.15)" in STEP THREE of IC 6-1.1-18.5-3(a) and STEP THREE of IC 6-1.1-18.5-3(b) is sufficient to raise adequate property taxes for a municipality annexing territory.

(c) The committee consists of sixteen (16) members appointed as follows:

(1) Two (2) members of the house of representatives appointed by the speaker of the house of representatives.

(2) Two (2) members of the house of representatives appointed by the minority leader of the house of representatives.

(3) Two (2) members of the senate appointed by the president pro tempore of the senate.

(4) Two (2) members of the senate appointed by the minority leader of the senate.

(5) One (1) member who is a member of the city council of a second class city or third class city appointed by the president pro tempore of the senate.

(6) One (1) member who is a member of the city council of a second class city or third class city appointed by the speaker of the house of representatives.

(7) One (1) member who is a member of the town council of a town that is not located in Marion County appointed by the president pro tempore of the senate.

(8) One (1) member who is a member of a county council of a county other than Marion County appointed by the speaker of the house of representatives.

(9) Two (2) members representing township government from a county other than Marion County. The speaker of the house of representatives and the president pro tempore of the senate shall each appoint one (1) member.

(10) Two (2) members of the public that have experience in preparing an annexation remonstrance. The speaker of the house of representatives and the president pro tempore of the senate shall each appoint one (1) member.

(d) Not more than one (1) member appointed under subsection (c)(9) and one (1) member appointed under subsection (c)(10) may be from the same political party.

(e) The legislative services agency shall staff the committee.

(f) The committee shall operate under the rules and procedures of the legislative council for study committees.

(g) Each member of the committee who is not a member of the general assembly is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4

and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) Each member of the committee who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

(i) The affirmative votes of a majority of the legislator members of the committee are required for the committee to take action on any recommendation.

(j) The chairman of the legislative council shall appoint a member of the committee to serve as chairperson.

(k) The committee shall prepare and submit a written report of the committee's findings in an electronic format under IC 5-14-6 to the legislative council not later than November 1, 2007.

(l) This SECTION expires November 2, 2007.

#### **2007-224-144**

SECTION 144. (a) Notwithstanding the provisions in IC 6-1.1-20.4-4 specifying that an ordinance or a resolution must be adopted before December 31 for homestead credits to be provided under IC 6-1.1-20.4 in the following year, a political subdivision may adopt an ordinance or a resolution after December 31, 2006, and before June 1, 2007, to provide for the use of revenue for the purpose of providing a homestead credit under IC 6-1.1-20.4 in 2007.

(b) If a political subdivision adopts an ordinance or a resolution described in subsection (a):

(1) the local homestead credit under IC 6-1.1-20.4 shall be applied in the political subdivision in 2007; and

(2) the department of local government finance may take any action necessary to apply the local homestead credit in the political subdivision in 2007.

(c) This SECTION expires December 31, 2008.

#### **2007-224-145**

SECTION 145. Notwithstanding the provisions in IC 6-3.5-6, before amendment by this act, specifying that an ordinance establishing or increasing the rate of a county option income tax in 2007 must be adopted before April 1, 2007, an ordinance adopted in 2007 to establish an additional rate under IC 6-3.5-6-33, as added by this act, may be adopted before June 1, 2007. An ordinance adopted under this SECTION is effective on the later of the following:

(1) July 1, 2007.

(2) Fifteen (15) regular business days after the department of state revenue receives a certified copy of the ordinance from the county auditor.

#### **2007-224-146**

SECTION 146. An ordinance adopted by the fiscal body for Howard County that:

- (1) was adopted before April 29, 2007; and
- (2) would have been in compliance with IC 6-3.5-6-28, as amended by this act, if this act had been enacted before the ordinance was adopted;

is legalized and validated to the same extent as if this act had been enacted before the ordinance was adopted.

**2007-224-147**

SECTION 147. IC 6-1.1-12-37, as amended by this act, applies to property taxes first due and payable after December 31, 2007.

**2007-227-71**

SECTION 71. (a) IC 35-45-5-3 and IC 35-45-5-4, both as amended by this act, apply only to crimes committed after June 30, 2007.

(b) IC 35-45-5-3.5, as added by this act, applies only to crimes and infractions committed after June 30, 2007.

**2007-227-72**

SECTION 72. (a) IC 35-45-6-1, as amended by this act, applies only to crimes committed after June 30, 2007.

**2007-227-73**

SECTION 73. Notwithstanding any other law, including any part of an act enacted by the general assembly in the 2007 session, excess money returned by a county to the state from the property tax refunds appropriation made by HEA 1001-2007 for the state fiscal year beginning July 1, 2007, shall be deposited in the property tax reduction trust fund and used as provided in HEA 1001-2007, SECTION 10.

**2007-228-8**

SECTION 8. (a) Notwithstanding the provisions in IC 4-13-16.5-2, as amended by this act, requiring that statistical analysis of the use of minority and women's business enterprises must be updated every five (5) years, the commission on minority and women's business enterprises shall:

- (1) conduct; or
- (2) enter into a contract for;

the statistical analysis of the use of minority and women's business enterprises during the fiscal year beginning July 1, 2007, and ending June 30, 2008.

(b) The criteria for the analysis in IC 4-13-16.5-2, as amended by this act, must be used for the statistical analysis required under this SECTION.

(c) This SECTION expires December 31, 2008.

**2007-230-26**

SECTION 26. Sec. 19. (a) This SECTION applies instead of IC 23-2-5-19. The following persons are exempt from the requirements of sections 4, 5, 6, 9, 17, 18, and 21 of this chapter:

- (1) Any attorney while engaging in the practice of law.
- (2) Any certified public accountant, public accountant, or accountant practitioner holding a certificate or registered under IC 25-2.1 while performing the practice of accountancy (as defined by IC 25-2.1-1-10).
- (3) Any person licensed as a real estate broker or salesperson under IC 25-34.1 to the extent that the person is rendering loan related services in the ordinary course of a transaction in which a license as a real estate broker or salesperson is required.
- (4) Any broker-dealer, agent, or investment advisor registered under IC 23-2-1.

(5) Any person that:

- (A) procures;
- (B) promises to procure; or
- (C) assists in procuring;

a loan that is not subject to the Truth in Lending Act (15 U.S.C. 1601 through 1667e).

(6) Any community development corporation (as defined in IC 4-4-28-2) acting as a subrecipient of funds from the Indiana housing and community development authority established by IC 5-20-1-3.

(7) The Indiana housing and community development authority.

(8) Subject to subsection (e), and except as provided in subsection

(f), any person authorized to:

- (A) sell and service a loan for the Federal National Mortgage Association or the Federal Home Loan Mortgage Association;
- (B) issue securities backed by the Government National Mortgage Association;
- (C) make loans insured by the United States Department of Housing and Urban Development or the United States Department of Agriculture Rural Housing Service; or
- (D) act as a supervised lender or nonsupervised automatic lender of the United States Department of Veterans Affairs.
- (E) act as a correspondent of loans insured by the United States Department of Housing and Urban Development, if the person closes at least twenty-five (25) such insured loans in Indiana during each calendar year.

(9) Any person who is a creditor, or proposed to be a creditor, for any loan.

(b) As used in this chapter, "bona fide third party fee" includes fees for the following:

- (1) Credit reports, investigations, and appraisals performed by a person who holds a license or certificate as a real estate appraiser under IC 25-34.1-8.
- (2) If the loan is to be secured by real property, title examinations, an abstract of title, title insurance, a property survey, and similar purposes.
- (3) The services provided by a loan broker in procuring possible business for a lending institution if the fees are paid by the lending institution.

(c) As used in this section, "successful procurement of a loan"

means that a binding commitment from a creditor to advance money has been received and accepted by the borrower.

(d) The burden of proof of any exemption or classification provided in this chapter is on the party claiming the exemption or classification.

(e) A person claiming an exemption under subsection (a)(8) shall, as a condition to receiving or maintaining the exemption, file a notice every twenty-four (24) months on a form acceptable to the commissioner. The notice required under this subsection must:

- (1) provide the name and business address of each originator employed by the person to originate loans in Indiana;
- (2) include all other information required by the commissioner; and
- (3) be accompanied by a fee of two hundred dollars (\$200).

If any information included in a notice under this subsection changes after the notice has been submitted, the person shall provide written notice to the commissioner of the change. The commissioner's receipt of a notice under this subsection shall not be considered to be a determination or confirmation by the commissioner of the validity of the claimed exemption.

(f) An exemption described in subsection (a)(8) does not extend to:

- (1) a subsidiary of the exempt person; or
- (2) an unaffiliated third party.

An exemption that applies to a person under subsection (a)(8)(D) does not extend to a registered United States Department of Veterans Affairs agent.

(g) This SECTION expires June 30, 2008.

#### **2007-230-27**

SECTION 27. (a) The definitions in IC 23-2-5, as amended by this act, apply throughout this SECTION.

(b) IC 23-2-5, as amended by this act, applies to a person who applies for an initial:

- (1) license as a loan broker;
- (2) registration as an originator;
- (3) registration as a principal manager; or
- (4) exemption under IC 23-2-5-19, as amended by this act;

after June 30, 2007.

(c) Except as otherwise provided in this SECTION, IC 23-2-5, as amended by this act, applies to a person who:

- (1) is licensed as a loan broker under IC 23-2-5, before its amendment by this act; or
- (2) is registered as an originator under IC 23-2-5, before its amendment by this act;

after December 31, 2007.

(d) A person who:

- (1) is licensed as a loan broker under IC 23-2-5, before its amendment by this act; or
- (2) qualifies for an exemption under IC 23-2-5-19(a)(8)(E), before its amendment by this act, but does not qualify for an exemption under IC 23-2-5-19(a)(8)(E), after its amendment by this act;

must comply with IC 23-2-5-20.5(b) not later than July 1, 2008.



- (e) A person who:
  - (1) qualifies for an exemption under IC 23-2-5-19(a)(8)(E), before its amendment by this act; but
  - (2) does not qualify for an exemption under IC 23-2-5-19(a)(8)(E), after its amendment by this act;must comply with IC 23-2-5-4, as amended by this act, not later than January 1, 2008.
- (f) A person who:
  - (1) qualifies for an exemption under IC 23-2-5-19(a)(8)(A) through IC 23-2-5-19(a)(8)(D), before July 1, 2007; or
  - (2) qualifies for an exemption under IC 23-2-5-19(a)(8)(E), both before and after its amendment by this act;must comply with IC 23-2-5-19(e) not later than January 1, 2008.
- (g) This SECTION expires January 1, 2009.

#### **2007-230-28**

SECTION 28. (a) As used in this SECTION, "department" refers to the department of financial institutions established by IC 28-11-1-1.

(b) The department shall study the feasibility of assuming responsibility for regulating all:

- (1) loan brokers;
- (2) originators; and
- (3) principal managers;

required to be licensed or registered under IC 23-2-5 on the date of enactment of this act.

(c) In conducting the study required under subsection (b), the department shall determine the following:

(1) The costs and benefits of implementing a complaint based regulatory system, including:

- (A) the budget and staffing needs of the department;
- (B) the time required to take all necessary actions to implement the system; and
- (C) a comparison of the costs and benefits of implementing the system described in this subdivision with the costs and benefits of implementing a system described in subdivision (2).

(2) The costs and benefits of implementing an examination based regulatory system, including:

- (A) the budget and staffing needs of the department;
- (B) the time required to take all necessary actions to implement the system; and
- (C) a comparison of the costs and benefits of implementing the system described in this subdivision with the costs and benefits of implementing a system described in subdivision (1).

(d) In addition to conducting the required analyses under subsection (b), the department may study any other issues related to the licensing and regulation of loan brokers, originators, and principal managers that the department considers relevant to the department's ability to undertake the responsibilities described in this SECTION.

(e) The department shall provide:

- (1) status reports on the department's progress in conducting the study required by this SECTION; and
  - (2) any preliminary data gathered or determinations made in conducting the study required by this SECTION;
- as may be requested by the interim study committee on mortgage lending practices and home loan foreclosures established under this act.
- (f) The department shall report its findings and any recommendations to the legislative council not later than November 1, 2007. The department's report to the legislative council under this subsection must be in an electronic format under IC 5-14-6.
- (g) This SECTION expires January 1, 2008.

#### **2007-230-29**

SECTION 29. (a) As used in this SECTION, "commissioner" refers to the securities commissioner appointed under IC 23-2-1-15(a).

(b) "Division" refers to the securities division of the office of the secretary of state.

(c) Not later than November 1, 2007, the commissioner shall report to the legislative council on the regulation and:

- (1) licensing of loan brokers; and
  - (2) registration of originators and principal managers;
- under IC 25-2-5, as amended by this act.

(d) The report required under subsection (c) must include information on the following:

- (1) The budget and staffing needs of the division to implement IC 23-2-5, as amended by this act.
- (2) Any additional actions needed to implement IC 23-2-5, as amended by this act, and the time needed by the division to complete the actions.
- (3) The number of initial licenses and registrations issued by the commissioner under IC 25-2-5, as amended by this act, after June 30, 2007.
- (4) Any challenges encountered or anticipated by the commissioner in implementing IC 25-2-5, as amended by this act.
- (5) Any additional information that may be requested by:
  - (A) the legislative council; or
  - (B) the interim study committee on mortgage lending practices and home loan foreclosures established under this act.
- (6) Any recommendations of the commissioner on the implementation of IC 25-2-5, as amended by this act.

(e) The commissioner's report to the legislative council under this SECTION must be in an electronic format under IC 5-14-6.

(f) This SECTION expires January 1, 2008.

#### **2007-230-30**

SECTION 30. (a) As used in this SECTION, "committee" refers to the interim study committee on mortgage lending practices and home loan foreclosures established by this SECTION.

(b) There is established the interim study committee on mortgage lending practices and home loan foreclosures. The committee shall study the following:

- (1) The appropriateness of requiring state licensure for all mortgage lenders, loan brokers, originators, settlement service providers, and real estate appraisers.
- (2) The appropriate state agency or regulatory body to oversee the regulation of mortgage lenders, loan brokers, originators, settlement service providers, and real estate appraisers.
- (3) Other states' approaches to regulating mortgage lenders, loan brokers, originators, settlement service providers, and real estate appraisers. In examining the regulatory approaches of other states under this subdivision, the committee shall attempt to identify those approaches that:
  - (A) incorporate an efficient or streamlined regulatory framework; or
  - (B) otherwise represent best practices for state regulation of mortgage lenders, loan brokers, originators, settlement service providers, and real estate appraisers.
- (4) The causes of home loan foreclosures in Indiana, including a study of the causes of home loan foreclosures with respect to new home construction in Indiana.
- (5) Whether legislative or regulatory solutions exist to:
  - (A) prevent or reduce the number of home loan foreclosures in Indiana; and
  - (B) prevent or reduce the occurrence of fraudulent practices in the home loan industry.
- (6) Issues concerning the referral of borrowers or potential borrowers to appraisal companies by mortgage lenders, loan brokers, originators, or settlement service providers that have an:
  - (A) ownership or investment interest in or compensation arrangement with an appraisal company; or
  - (B) immediate family member that has an ownership or investment interest in or compensation arrangement with an appraisal company.
- (7) Issues concerning the referral of settlement service providers by mortgage lenders, loan brokers, or originators that have:
  - (A) a business relationship or an ownership interest in a settlement service provider; or
  - (B) an immediate family member that has a business relationship or an ownership interest in a settlement service provider.
- (8) The appropriateness of requiring a person licensed under IC 23-2-5 to notify the commissioner if the employment of a person registered under IC 23-2-5 is terminated.
- (9) Other topics that the committee considers relevant in:
  - (A) examining mortgage lending practices and home loan foreclosures in Indiana; and
  - (B) devising solutions to the problems identified.
- (c) The committee shall operate under the policies governing study committees adopted by the legislative council.
- (d) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

(e) The committee shall report its findings and any recommendations to the legislative council not later than November 1, 2007. The committee's report to the legislative council under this subsection must be in an electronic format under IC 5-14-6.

(f) This SECTION expires January 1, 2008.

#### **2007-231-5**

SECTION 5. (a) As used in this SECTION, "committee" refers to the water resources study committee established by IC 2-5-25-1.

(b) The committee shall study and make findings and recommendations concerning the following:

(1) Current processes and methods used in determining water resource allocation and distribution in Indiana.

(2) Appropriate policies governing future water resource allocation and distribution planning in Indiana.

(c) The committee shall report its finding and recommendations to the legislative council in an electronic format under IC 5-14-6 not later than November 1, 2007.

#### **2007-232-8**

SECTION 8. (a) Notwithstanding IC 5-1.5-1-8, "qualified entity", for purposes of IC 5-1.5, means:

(1) a political subdivision (as defined in IC 36-1-2-13);

(2) a state educational institution (as defined in IC 20-12-0.5-1);

(3) a leasing body (as defined in IC 5-1-1-1(a));

(4) a not-for-profit utility (as defined in IC 8-1-2-125);

(5) any rural electric membership corporation organized under IC 8-1-13;

(6) any corporation that was organized in 1963 under Acts 1935, c. 157 and that engages in the generation and transmission of electric energy;

(7) any telephone cooperative corporation formed under IC 8-1-17;

(8) any commission, authority, or authorized body of any qualified entity;

(9) any organization, association, or trust with members, participants, or beneficiaries that are all individually qualified entities;

(10) any commission, authority, or instrumentality of the state;

(11) any other participant (as defined in IC 13-11-2-151.1);

(12) a charter school established under IC 20-5.5 (before its repeal) that is not a qualified entity under IC 5-1.4-1-10;

(13) a volunteer fire department (as defined in IC 36-8-12-2); or

(14) a development authority (as defined in IC 36-7.6-1-8).

(b) This SECTION expires June 30, 2007.

#### **2007-233-35**

SECTION 35. (a) If the Indiana gaming commission determines that a permit holder (as defined in IC 4-35-2-8, as added by this act) has met the requirements of this act, the Indiana gaming commission shall

adopt a resolution authorizing the permit holder to conduct gambling games under IC 4-35, as added by this act. The Indiana gaming commission may exercise any power necessary to implement this act under a resolution authorized under this SECTION.

(b) Subject to subsection (c), the Indiana gaming commission shall authorize a permit holder to conduct gambling games in a temporary facility upon the Indiana gaming commission's approval of the permit holder's plans for a permanent facility. Gambling games may be conducted in a temporary facility under this SECTION for twenty-four (24) months or for a longer time as determined by the Indiana gaming commission.

(c) The Indiana gaming commission may not approve gambling games in a temporary facility under this SECTION unless the temporary facility is located at a permit holder's race track or on real estate that is adjacent to the permit holder's race track.

(d) This SECTION expires January 1, 2010.

#### **2007-233-36**

SECTION 36. IC 6-1.1-4-39.5, as added by this act, applies to property taxes that are first assessed after February 28, 2006, and are first due and payable after December 31, 2006.

#### **2007-234-1**

SECTION 1. (a) The following definitions apply throughout this act:

- (1) "Augmentation allowed" means the governor and the budget agency are authorized to add to an appropriation in this act from revenues accruing to the fund from which the appropriation was made.
- (2) "Biennium" means the period beginning July 1, 2007, and ending June 30, 2009. Appropriations appearing in the biennial column for construction or other permanent improvements do not revert under IC 4-13-2-19 and may be allotted.
- (3) "Deficiency appropriation" or "special claim" means an appropriation available during the 2006-2007 fiscal year.
- (4) "Equipment" includes machinery, implements, tools, furniture, furnishings, vehicles, and other articles that have a calculable period of service that exceeds twelve (12) calendar months.
- (5) "Fee replacement" includes payments to universities to be used to pay indebtedness resulting from financing the cost of planning, purchasing, rehabilitation, construction, repair, leasing, lease-purchasing, or otherwise acquiring land, buildings, facilities, and equipment to be used for academic and instructional purposes.
- (6) "Federally qualified health center" means a community health center that is designated by the Health Resources Services Administration, Bureau of Primary Health Care, as a Federally Qualified Health Center Look Alike under the FED 330 Consolidated Health Center Program authorization, including Community Health Center (330e), Migrant Health Center (330g), Health Care for the Homeless (330h), Public Housing Primary Care (330i), and School Based Health Centers (330).
- (7) "Other operating expense" includes payments for "services other than personal", "services by contract", "supplies, materials, and parts", "grants, subsidies, refunds, and awards", "in-state travel", "out-of-state travel", and "equipment".
- (8) "Pension fund contributions" means the state of Indiana's contributions to a specific retirement fund.

(9) "Personal services" includes payments for salaries and wages to officers and employees of the state (either regular or temporary), payments for compensation awards, and the employer's share of Social Security, health insurance, life insurance, dental insurance, vision insurance, deferred compensation - state match, leave conversion, disability, and retirement fund contributions.

(10) "SSBG" means the Social Services Block Grant. This was formerly referred to as "Title XX".

(11) "State agency" means:

(A) each office, officer, board, commission, department, division, bureau, committee, fund, agency, authority, council, or other instrumentality of the state;

(B) each hospital, penal institution, and other institutional enterprise of the state;

(C) the judicial department of the state; and

(D) the legislative department of the state.

However, this term does not include cities, towns, townships, school cities, school townships, school districts, other municipal corporations or political subdivisions of the state, or universities and colleges supported in whole or in part by state funds.

(12) "State funded community health center" means a public or private not for profit (501(c)(3)) organization that provides comprehensive primary health care services to all age groups.

(13) "Total operating expense" includes payments for both "personal services" and "other operating expense".

(b) The state board of finance may authorize advances to boards or persons having control of the funds of any institution or department of the state of a sum of money out of any appropriation available at such time for the purpose of establishing working capital to provide for payment of expenses in the case of emergency when immediate payment is necessary or expedient. Advance payments shall be made by warrant by the auditor of state, and properly itemized and receipted bills or invoices shall be filed by the board or persons receiving the advance payments.

(c) All money appropriated by this act shall be considered either a direct appropriation or an appropriation from a rotary or revolving fund.

(1) Direct appropriations are subject to withdrawal from the state treasury and for expenditure for such purposes, at such time, and in such manner as may be prescribed by law. Direct appropriations are not subject to return and rewithdrawal from the state treasury, except for the correction of an error which may have occurred in any transaction or for reimbursement of expenditures which have occurred in the same fiscal year.

(2) A rotary or revolving fund is any designated part of a fund that is set apart as working capital in a manner prescribed by law and devoted to a specific purpose or purposes. The fund consists of earnings and income only from certain sources or a combination thereof. The money in the fund shall be used for the purpose designated by law as working capital. The fund at any time consists of the original appropriation thereto, if any, all receipts accrued to the fund, and all money withdrawn from the fund and invested or to be invested. The fund shall be kept intact by separate entries in the auditor of state's office, and no part thereof shall be used for any purpose other than the lawful purpose of the fund or revert to any other fund at any time. However, any unencumbered excess above any prescribed amount shall be transferred to the state general fund at the close of each fiscal year unless otherwise specified in the Indiana Code.

**2007-234-2**

## SECTION 2.

For the conduct of state government, its offices, funds, boards, commissions, departments, societies, associations, services, agencies, and undertakings, and for other appropriations not otherwise provided by statute, the following sums in SECTIONS 3 through 10 are appropriated for the periods of time designated from the general fund of the state of Indiana or other specifically designated funds.

In this act, whenever there is no specific fund or account designated, the appropriation is from the general fund.

**2007-234-3**

## SECTION 3.

## GENERAL GOVERNMENT

## A. LEGISLATIVE

## FOR THE GENERAL ASSEMBLY

## LEGISLATORS' SALARIES - HOUSE

Total Operating Expense	4,203,191	4,870,227
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## HOUSE EXPENSES

Total Operating Expense	9,936,755	10,097,001
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## LEGISLATORS' SALARIES - SENATE

Total Operating Expense	1,571,845	1,596,366
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## SENATE EXPENSES

Total Operating Expense	9,833,000	10,905,931
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Included in the above appropriations for house and senate expenses are funds for a legislative business per diem allowance, meals, and other usual and customary expenses associated with legislative affairs. Except as provided below, this allowance is to be paid to each member of the general assembly for every day, including Sundays, during which the general assembly is convened in regular or special session, commencing with the day the session is officially convened and concluding with the day the session is adjourned sine die. However, after five (5) consecutive days of recess, the legislative business per diem allowance is to be made on an individual voucher basis until the recess concludes.

Members of the general assembly are entitled, when authorized by the speaker of the house or the president pro tempore of the senate, to the legislative business per diem allowance for each and every day engaged in official business.

The legislative business per diem allowance that each member of the general assembly is entitled to receive equals the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area. The legislative business per diem changes each time there is a change in that maximum daily amount.

In addition to the legislative business per diem allowance, each member of the general

assembly shall receive the mileage allowance in an amount equal to the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service for each mile necessarily traveled from the member's usual place of residence to the state capitol. However, if the member traveled by a means other than by motor vehicle, and the member's usual place of residence is more than one hundred (100) miles from the state capitol, the member is entitled to reimbursement in an amount equal to the lowest air travel cost incurred in traveling from the usual place of residence to the state capitol. During the period the general assembly is convened in regular or special session, the mileage allowance shall be limited to one (1) round trip each week per member.

Any member of the general assembly who is appointed, by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or Indiana legislative council to serve on any research, study, or survey committee or commission, or who attends any meetings authorized or convened under the auspices of the Indiana legislative council, including pre-session conferences and federal-state relations conferences, is entitled, when authorized by the legislative council, to receive the legislative business per diem allowance for each day in actual attendance and is also entitled to a mileage allowance, at the rate specified above, for each mile necessarily traveled from the member's usual place of residence to the state capitol, or other in-state site of the committee, commission, or conference. The per diem allowance and the mileage allowance permitted under this paragraph shall be paid from the legislative council appropriation for legislator and lay member travel unless the member is attending an out-of-state meeting, as authorized by the speaker of the house of representatives or the president pro tempore of the senate, in which case the member is entitled to receive:

- (1) the legislative business per diem allowance for each day the member is engaged in approved out-of-state travel; and
- (2) reimbursement for traveling expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the legislative council.

Notwithstanding the provisions of this or any other statute, the legislative council may adopt, by resolution, travel policies and procedures that apply only to members of the general assembly or to the staffs of the house of representatives, senate, and legislative services agency, or both members and staffs. The legislative council may apply these travel policies and procedures to lay members serving on research, study, or survey committees or commissions that are under the jurisdiction of the legislative council. Notwithstanding any other law, rule, or policy, the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency do not apply to members of the general assembly, to the staffs of the house of representatives, senate, or legislative services agency, or to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council (if the legislative council applies its travel policies and procedures to lay members under the authority of this SECTION), except that, until the legislative council adopts travel policies and procedures, the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency apply to members of the general assembly, to the staffs of the house of representatives, senate, and legislative services agency, and to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council. The executive director



of the legislative services agency is responsible for the administration of travel policies and procedures adopted by the legislative council. The auditor of state shall approve and process claims for reimbursement of travel related expenses under this paragraph based upon the written affirmation of the speaker of the house of representatives, the president pro tempore of the senate, or the executive director of the legislative services agency that those claims comply with the travel policies and procedures adopted by the legislative council. If the funds appropriated for the house and senate expenses and legislative salaries are insufficient to pay all the necessary expenses incurred, including the cost of printing the journals of the house and senate, there is appropriated such further sums as may be necessary to pay such expenses.

#### LEGISLATORS' SUBSISTENCE

##### LEGISLATORS' EXPENSES - HOUSE

Total Operating Expense	2,455,520	2,432,543
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##### LEGISLATORS' EXPENSES - SENATE

Total Operating Expense	1,200,000	1,150,000
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Each member of the general assembly is entitled to a subsistence allowance of forty percent (40%) of the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area:

- (1) each day that the general assembly is not convened in regular or special session; and
- (2) each day after the first session day held in November and before the first session day held in January.

However, the subsistence allowance under subdivision (2) may not be paid with respect to any day after the first session day held in November and before the first session day held in January with respect to which all members of the general assembly are entitled to a legislative business per diem.

The subsistence allowance is payable from the appropriations for legislators' subsistence.

The officers of the senate are entitled to the following amounts annually in addition to the subsistence allowance: president pro tempore, \$7,000; assistant president pro tempore, \$3,000; majority floor leader, \$5,500; assistant majority floor leader, \$3,500; majority caucus chair, \$5,500; assistant majority caucus chair, \$1,500; appropriations committee chair, \$5,500; tax and fiscal policy committee chair, \$5,500; appropriations committee ranking majority member, \$2,000; tax and fiscal policy committee ranking majority member, \$2,000; majority whip, \$4,000; assistant majority whip, \$2,000; minority floor leader, \$6,000; minority leader pro tempore emeritus, \$1,500; minority caucus chair, \$5,000; minority assistant floor leader, \$5,000; appropriations committee ranking minority member, \$2,000; tax and fiscal policy committee ranking minority member, \$2,000; minority whip, \$3,000; assistant minority whip, \$1,000; assistant minority caucus chair, \$1,000; agriculture and small business committee chair, \$1,000; commerce, public policy, and interstate cooperation committee chair, \$1,000; corrections, criminal, and civil matters committee chair, \$1,000; energy and environmental affairs committee chair, \$1,000; pensions and labor committee chair, \$1,000; health and provider services committee chair, \$1,000; insurance and financial institutions committee chair, \$1,000; and natural resources committee chair, \$1,000.

Officers of the house of representatives are entitled to the following amounts annually in addition to the subsistence allowance: speaker of the house, \$6,500; speaker pro tempore, \$5,000; deputy speaker pro tempore, \$1,500; majority leader, \$5,000; majority caucus chair, \$5,000; assistant majority caucus chair, \$1,000; ways and means committee chair, \$5,000; ways and means committee ranking majority member, \$3,000; ways and means committee, chairman of the education subcommittee, \$1,500; speaker pro tempore emeritus, \$1,500; budget subcommittee chair, \$3,000; majority whip, \$3,500; assistant majority whip, \$1,000; assistant majority leader, \$1,000; minority leader, \$5,500; minority caucus chair, \$4,500; ways and means committee ranking minority member, \$3,500; minority whip, \$2,500; assistant minority leader, \$4,500; second assistant minority leader, \$1,500; and deputy assistant minority leader, \$1,000.

If the senate or house of representatives eliminates a committee or officer referenced in this SECTION and replaces the committee or officer with a new committee or position, the foregoing appropriations for subsistence shall be used to pay for the new committee or officer. However, this does not permit any additional amounts to be paid under this SECTION for a replacement committee or officer than would have been spent for the eliminated committee or officer. If the senate or house of representatives creates a new additional committee or officer, or assigns additional duties to an existing officer, the foregoing appropriations for subsistence shall be used to pay for the new committee or officer, or to adjust the annual payments made to the existing officer, in amounts determined by the legislative council.

If the funds appropriated for legislators' subsistence are insufficient to pay all the subsistence incurred, there are hereby appropriated such further sums as may be necessary to pay such subsistence.

#### FOR THE LEGISLATIVE COUNCIL AND THE LEGISLATIVE SERVICES AGENCY

Total Operating Expense	9,244,000	9,605,000
LEGISLATOR AND LAY MEMBER TRAVEL		
Total Operating Expense	610,000	635,000

Included in the above appropriations for the legislative council and legislative services agency expenses are funds for usual and customary expenses associated with legislative services.

If the funds above appropriated for the legislative council and the legislative services agency and legislator and lay member travel are insufficient to pay all the necessary expenses incurred, there are hereby appropriated such further sums as may be necessary to pay those expenses.

Any person other than a member of the general assembly who is appointed by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or legislative council to serve on any research, study, or survey committee or commission is entitled, when authorized by the legislative council, to a per diem instead of subsistence of \$75 per day during the 2007-2009 biennium. In addition to the per diem, such a person is entitled to mileage reimbursement, at the rate specified for members of the general assembly, for each mile necessarily traveled from the person's usual place of residence to the state capitol or other in-state site of the committee, commission, or conference. However, reimbursement

for any out-of-state travel expenses claimed by lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council shall be based on SECTION 14 of this act, until the legislative council applies those travel policies and procedures that govern legislators and their staffs to such lay members as authorized elsewhere in this SECTION. The allowance and reimbursement permitted in this paragraph shall be paid from the legislative council appropriations for legislative and lay member travel unless otherwise provided for by a specific appropriation.

CENTER FOR EVALUATION & EDUCATION POLICY STUDY OF CHARTER SCHOOLS		
Total Operating Expense		100,000

LEGISLATIVE COUNCIL CONTINGENCY FUND		
Total Operating Expense		223,614

Disbursements from the fund may be made only for purposes approved by the chairman and vice chairman of the legislative council.

The legislative services agency shall charge the following fees, unless the legislative council sets these or other fees at different rates:

Annual subscription to the session document service for sessions ending in odd-numbered years: \$900

Annual subscription to the session document service for sessions ending in even-numbered years: \$500

Per page charge for copies of legislative documents: \$0.15

Annual charge for interim calendar: \$10

Daily charge for the journal of either house: \$2

PRINTING AND DISTRIBUTION		
Total Operating Expense	872,000	905,000

The above funds are appropriated for the printing and distribution of documents published by the legislative council. These documents include journals, bills, resolutions, enrolled documents, the acts of the first and second regular sessions of the 115th general assembly, the supplements to the Indiana Code for fiscal years 2007-2008 and 2008-2009, and the publication of the Indiana Administrative Code and the Indiana Register. Upon completion of the distribution of the Acts and the supplements to the Indiana Code, as provided in IC 2-6-1.5, remaining copies may be sold at a price or prices periodically determined by the legislative council. If the above appropriations for the printing and distribution of documents published by the legislative council are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such sums as may be necessary to pay such expenses.

COUNCIL OF STATE GOVERNMENTS ANNUAL DUES		
Other Operating Expense	138,408	143,944
NATIONAL CONFERENCE OF STATE LEGISLATURES ANNUAL DUES		

Other Operating Expense	176,357	190,337
NATIONAL CONFERENCE OF INSURANCE LEGISLATORS ANNUAL DUES		
Other Operating Expense	10,000	10,000
NATIONAL CONFERENCE OF STATE LEGISLATURES ANNUAL TRAINING SEMINAR		
Total Operating Expense		45,000

FOR THE INDIANA LOBBY REGISTRATION COMMISSION		
Total Operating Expense	257,900	271,910

FOR THE PUBLIC EMPLOYEES' RETIREMENT FUND		
LEGISLATORS' RETIREMENT FUND		
Total Operating Expense	100,000	100,000

#### B. JUDICIAL

FOR THE SUPREME COURT		
Personal Services	7,403,027	7,664,269
Other Operating Expense	2,232,192	2,251,965

The above appropriation for the supreme court personal services includes the subsistence allowance as provided by IC 33-38-5-8.

LOCAL JUDGES' SALARIES		
Personal Services	50,674,246	50,812,798
Other Operating Expense	39,000	39,000
COUNTY PROSECUTORS' SALARIES		
Personal Services	23,821,199	23,821,199
Other Operating Expense	31,000	31,000

The above appropriations for county prosecutors' salaries represent the amounts authorized by IC 33-39-6-5 and that are to be paid from the state general fund.

In addition to the appropriations for local judges' salaries and for county prosecutors' salaries, there are hereby appropriated for personal services the amounts that the state is required to pay for salary changes or for additional courts created by the 115th general assembly.

JUDICIAL BRANCH INSURANCE ADJUSTMENT		
Total Operating Expense	0	400,000
TRIAL COURT OPERATIONS		
Total Operating Expense	591,575	596,075
INDIANA CONFERENCE FOR LEGAL EDUCATION OPPORTUNITY		
Total Operating Expense	778,750	778,750

The above funds are appropriated to the division of state court administration in compliance with the provisions of IC 33-24-13-7.

PUBLIC DEFENDER COMMISSION		
Total Operating Expense	9,100,000	9,850,000

The above appropriation is made in addition to the distribution authorized by

IC 33-37-7-9(c) for the purpose of reimbursing counties for indigent defense services provided to a defendant. The division of state court administration of the supreme court of Indiana shall provide staff support to the commission and shall administer the public defense fund. The administrative costs may come from the public defense fund. Any balance in the public defense fund is appropriated to the public defender commission.

**GUARDIAN AD LITEM**

Total Operating Expense	2,920,248	2,970,248
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The division of state court administration shall use the foregoing appropriation to administer an office of guardian ad litem and court appointed special advocate services and to provide matching funds to counties that are required to implement, in courts with juvenile jurisdiction, a guardian ad litem and court appointed special advocate program for children who are alleged to be victims of child abuse or neglect under IC 31-33 and to administer the program. A county may use these matching funds to supplement amounts collected as fees under IC 31-40-3 to be used for the operation of guardian ad litem and court appointed special advocate programs. The county fiscal body shall appropriate adequate funds for the county to be eligible for these matching funds.

**CIVIL LEGAL AID**

Total Operating Expense	1,500,000	1,500,000
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The above funds are appropriated to the division of state court administration in compliance with the provisions of IC 33-24-12-7.

**SPECIAL JUDGES - COUNTY COURTS**

Personal Services	15,000	15,000
Other Operating Expense	134,000	134,000

If the funds appropriated above for special judges of county courts are insufficient to pay all of the necessary expenses that the state is required to pay under IC 34-35-1-4, there are hereby appropriated such further sums as may be necessary to pay these expenses.

**COMMISSION ON RACE AND GENDER FAIRNESS**

Total Operating Expense	370,996	380,996
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**FOR THE COURT OF APPEALS**

Personal Services	8,902,011	9,141,271
Other Operating Expense	1,467,625	1,249,470

The above appropriations for the court of appeals personal services include the subsistence allowance provided by IC 33-38-5-8.

**FOR THE TAX COURT**

Personal Services	516,747	529,050
Other Operating Expense	128,927	143,963

**FOR THE JUDICIAL CENTER**

Personal Services	1,703,245	1,833,579
Other Operating Expense	1,238,337	1,240,419

The above appropriations for the judicial center include the appropriations for the judicial conference.

**DRUG AND ALCOHOL PROGRAMS FUND**

Total Operating Expense	299,010	299,010
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The above funds are appropriated under IC 33-37-7-9 for the purpose of administering, certifying, and supporting alcohol and drug services programs under IC 12-23-14. However, if the receipts are less than the appropriation, the center may not spend more than is collected.

**INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION**

Total Operating Expense	200,000	200,000
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**FOR THE PUBLIC DEFENDER**

Personal Services	5,941,901	6,179,783
Other Operating Expense	985,133	985,133

**FOR THE PUBLIC DEFENDER COUNCIL**

Personal Services	942,195	943,779
Other Operating Expense	436,315	420,318

**FOR THE PROSECUTING ATTORNEYS' COUNCIL**

Personal Services	622,639	623,828
Other Operating Expense	591,448	591,448

**DRUG PROSECUTION**

Drug Prosecution Fund (IC 33-39-8-6)

Total Operating Expense	103,436	103,436
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Augmentation allowed.

**FOR THE PUBLIC EMPLOYEES' RETIREMENT FUND**

**JUDGES' RETIREMENT FUND**

Other Operating Expense	10,753,661	11,708,522
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**PROSECUTORS' RETIREMENT FUND**

Other Operating Expense	170,000	170,000
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**C. EXECUTIVE**

**FOR THE GOVERNOR'S OFFICE**

Personal Services	2,002,085	2,002,085
Other Operating Expense	375,000	375,000

**GOVERNOR'S RESIDENCE**

Total Operating Expense	148,724	148,724
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**GOVERNOR'S CONTINGENCY FUND**

Total Operating Expense		170,000
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Direct disbursements from the above contingency fund are not subject to the provisions of IC 5-22.

GOVERNOR'S FELLOWSHIP PROGRAM		
Total Operating Expense	250,045	250,045
FOR THE WASHINGTON LIAISON OFFICE		
Total Operating Expense	150,000	150,000
FOR THE LIEUTENANT GOVERNOR		
Personal Services	1,780,280	1,780,280
Other Operating Expense	724,410	724,410
CONTINGENCY FUND		
Total Operating Expense		34,626

Direct disbursements from the above contingency fund are not subject to the provisions of IC 5-22.

FOR THE SECRETARY OF STATE		
ADMINISTRATION		
Personal Services	2,148,297	2,148,297
Other Operating Expense	255,919	255,919

FOR THE ATTORNEY GENERAL		
ATTORNEY GENERAL		
From the General Fund		
14,463,506	14,463,506	
From the Homeowner Protection Fund (IC 4-6-12-9)		
654,047	654,047	
Augmentation allowed.		
From the Motor Vehicle Odometer Fund (IC 9-29-1-5)		
81,350	81,350	
Augmentation allowed.		
From the Medicaid Fraud Control Unit Fund (IC 4-6-10-1)		
515,935	515,935	
Augmentation allowed.		
From the Victims' Assistance Address Confidentiality Fund (IC 5-2-6-14)		
59,929	59,929	
Augmentation allowed.		
From the Consumer Fees and Settlements Fund (IC 24-4.7-3-6)		
148,228	148,228	
Augmentation allowed.		
From the Real Estate Appraiser Licensing Fund (IC 25-34.1-8-7)		
68,174	68,174	
Augmentation allowed.		
From the Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
494,467	494,467	
Augmentation allowed.		
From the Abandoned Property Fund (IC 32-34-1-33)		
216,303	216,303	
Augmentation allowed.		

The amounts specified from the general fund, homeowner protection fund, motor vehicle

odometer fund, medicaid fraud control unit fund, victims' assistance address confidentiality fund, consumer fees and settlements fund, real estate appraisers licensing fund, tobacco master settlement fund, and abandoned property fund are for the following purposes:

Personal Services	15,530,898	15,530,898
Other Operating Expense	1,171,041	1,171,041
HOMEOWNER PROTECTION UNIT (IC 4-6-12-9)		
Total Operating Expense	63,391	63,391
MEDICAID FRAUD UNIT		
Total Operating Expense	829,789	829,789

The above appropriations to the Medicaid fraud unit are the state's matching share of the state Medicaid fraud control unit under IC 4-6-10 as prescribed by 42 U.S.C. 1396b(q). Augmentation allowed from collections.

UNCLAIMED PROPERTY		
Abandoned Property Fund (IC 32-34-1-33)		
Personal Services	1,317,228	1,317,228
Other Operating Expense	3,172,360	3,172,360
Augmentation allowed.		

#### D. FINANCIAL MANAGEMENT

FOR THE AUDITOR OF STATE		
Personal Services	4,587,218	4,587,218
Other Operating Expense	1,388,632	1,388,632
GOVERNORS' AND GOVERNORS' SURVIVING SPOUSES' PENSIONS		
Total Operating Expense	123,500	123,500

The above appropriations for governors' and governors' surviving spouses' pensions are made under IC 4-3-3.

FOR THE STATE BOARD OF ACCOUNTS		
Personal Services	20,798,302	20,798,302
Other Operating Expense	1,340,277	1,340,277
GOVERNOR ELECT		
Total Operating Expense	0	40,000

FOR THE STATE BUDGET COMMITTEE		
Total Operating Expense	60,000	60,000

Notwithstanding IC 4-12-1-11(b), the salary per diem of the legislative members of the budget committee is an amount equal to one hundred fifty percent (150%) of the legislative business per diem allowance. If the above appropriations are insufficient to carry out the necessary operations of the budget committee, there are hereby appropriated such further sums as may be necessary.

FOR THE OFFICE OF MANAGEMENT AND BUDGET		
Personal Services	1,192,305	1,192,305



Other Operating Expense	65,958	65,958
FOR THE STATE BUDGET AGENCY		
Personal Services	3,118,097	3,118,097
Other Operating Expense	512,409	512,409
STATEWIDE INFORMATION TECHNOLOGY PROJECTS		
Total Operating Expense	0	2,000,000
BUILD INDIANA FUND ADMINISTRATION		
Build Indiana Fund (IC 4-30-17)		
Other Operating Expense	1	1
Augmentation Allowed.		
DEPARTMENTAL AND INSTITUTIONAL EMERGENCY CONTINGENCY FUND		
Total Operating Expense		10,000,000

The foregoing departmental and institutional emergency contingency fund appropriation is subject to allotment to departments, institutions, and all state agencies by the budget agency with the approval of the governor. These allocations may be made upon written request of proper officials, showing that contingencies exist that require additional funds for meeting necessary expenses. The budget committee shall be advised of each transfer request and allotment.

OUTSIDE BILLS CONTINGENCY		
Total Operating Expense		1

PERSONAL SERVICESFRINGE BENEFITS CONTINGENCY FUND		
Total Operating Expense		89,000,000

The foregoing personal services/fringe benefits contingency fund appropriation is subject to allotment to departments, institutions, and all state agencies by the budget agency with the approval of the governor.

The foregoing personal services/fringe benefits contingency fund appropriation may only be used for salary increases, fringe benefit increases, an employee leave conversion program, or a state retiree health program for state employees and may not be used for any other purpose.

The foregoing personal services/fringe benefits contingency fund appropriation does not revert at the end of the biennium but remains in the personal services/fringe benefits contingency fund.

STATE RETIREE HEALTH PLAN		
Total Operating Expense		46,000,000

The foregoing appropriation for the state retiree health plan:

- (1) does not revert at the end of the biennium but remains in the state retiree health plan fund; and
- (2) is not subject to transfer to any other fund or to transfer, assignment, or reassignment for any other use or purpose by the state board of finance notwithstanding IC 4-9.1-1-7

and IC 4-13-2-23 or by the budget agency notwithstanding IC 4-12-1-12, or any other law.

COMPREHENSIVE HEALTH INSURANCE ASSOCIATION STATE SHARE

Total Operating Expense	44,300,000	46,500,000
Augmentation Allowed.		

SCHOOL AND LIBRARY INTERNET CONNECTION

Build Indiana Fund (IC 4-30-17)		
Other Operating Expense		7,000,000

Of the foregoing appropriations, \$2,300,000 each year shall be used for schools under IC 4-34-3-4, and \$1,200,000 each year shall be used for libraries under IC 4-34-3-2.

INSPIRE (IC 4-34-3-2)

Build Indiana Fund (IC 4-30-17)		
Other Operating Expense		3,000,000

AREA HEALTH EDUCATION CENTERS

Total Operating Expense	1,250,000	1,750,000
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CRAWFORD COUNTY 4-H GRANT

Total Operating Expense		500,000
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FOR THE TREASURER OF STATE

Personal Services	827,756	827,756
Other Operating Expense	42,350	42,350

The treasurer of state, the board for depositories, the Indiana commission for higher education, and the state student assistance commission shall cooperate and provide to the Indiana education savings authority the following:

- (1) Clerical and professional staff and related support.
- (2) Office space and services.
- (3) Reasonable financial support for the development of rules, policies, programs, and guidelines, including authority operations and travel.

E. TAX ADMINISTRATION

FOR THE DEPARTMENT OF REVENUE

COLLECTION AND ADMINISTRATION

General Fund		
	54,187,575	53,427,575

Motor Carrier Regulation Fund (IC 8-2.1-23)		
	794,261	794,261

Motor Vehicle Highway Account (IC 8-14-1)		
	2,449,434	2,449,434

Augmentation allowed from the Motor Carrier Regulation Fund and the Motor Vehicle Highway Account.

The amounts specified from the General Fund, Motor Carrier Regulation Fund, and the Motor Vehicle Highway Account are for the following purposes:

Personal Services	40,726,571	40,726,571
Other Operating Expense	16,704,699	15,944,699

With the approval of the governor and the budget agency, the department shall annually reimburse the state general fund for expenses incurred in support of the collection of dedicated fund revenue according to the department's cost allocation plan.

With the approval of the governor and the budget agency, the foregoing sums for the department of state revenue may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department of state revenue from taxes and fees.

#### OUTSIDE COLLECTIONS

Total Operating Expense	3,300,000	3,300,000
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With the approval of the governor and the budget agency, the foregoing sums for the department of state revenue's outside collections may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department from taxes and fees.

#### MOTOR CARRIER REGULATION

Motor Carrier Regulation Fund (IC 8-2.1-23)

Personal Services	1,538,712	1,538,712
Other Operating Expense	4,354,961	4,354,961

Augmentation allowed from the Motor Carrier Regulation Fund.

#### MOTOR FUEL TAX DIVISION

Motor Vehicle Highway Account (IC 8-14-1)

Personal Services	8,772,328	8,772,328
Other Operating Expense	1,625,300	1,625,300

Augmentation allowed from the Motor Vehicle Highway Account.

In addition to the foregoing appropriations, there is hereby appropriated to the department of revenue motor fuel tax division an amount sufficient to pay claims for refunds on license-fee-exempt motor vehicle fuel as provided by law. The sums above appropriated from the motor vehicle highway account for the operation of the motor fuel tax division, together with all refunds for license-fee-exempt motor vehicle fuel, shall be paid from the receipts of those license fees before they are distributed as provided by IC 6-6-1.1.

#### FOR THE INDIANA GAMING COMMISSION

State Gaming Fund (IC 4-33-13-3)

3,463,789	3,463,789
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Gaming Investigations

525,000	525,000
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State Gambling Enforcement Fund (IC 4-33.5-4)

499,992	499,992
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The amounts specified from the state gaming fund, gaming investigations, and state gambling enforcement fund are for the following purposes:

Personal Services	3,535,621	3,535,621
Other Operating Expense	953,160	953,160

The foregoing appropriations to the Indiana gaming commission are made from revenues accruing to the state gaming fund under IC 4-33-13-3 before any distribution is made under IC 4-33-13-5.

Augmentation allowed.

The foregoing appropriations to the Indiana gaming commission are made instead of the appropriation made in IC 4-33-13-4.

#### FOR THE INDIANA DEPARTMENT OF GAMING RESEARCH

Personal Services	118,297	118,297
Other Operating Expense	127,993	127,993

Augmentation allowed from fees accruing under IC 4-33-18-8.

#### FOR THE INDIANA HORSE RACING COMMISSION

Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)		
Personal Services	2,192,335	2,192,335
Other Operating Expense	673,974	673,974

The foregoing appropriations to the Indiana horse racing commission are made from revenues accruing to the Indiana horse racing commission before any distribution is made under IC 4-31-9. Retroactive to July 1, 2005.

Augmentation allowed.

#### STANDARDDBRED ADVISORY BOARD

Standardbred Horse Fund (IC 15-5-5.5-9.5)		
Total Operating Expense	193,500	193,500

The foregoing appropriations to the standardbred board of regulation are made from revenues accruing to the Indiana horse racing commission before any distribution is made under IC 4-31-9. Retroactive to July 1, 2005.

Augmentation allowed.

#### STANDARDDBRED BREED DEVELOPMENT FUND

Standardbred Horse Fund (IC 15-5-5.5-9.5)		
Total Operating Expense	3,963,811	3,963,811

Augmentation allowed.

#### THOROUGHBRED BREED DEVELOPMENT FUND

Standardbred Horse Fund (IC 15-5-5.5-9.5)		
Total Operating Expense	2,686,139	2,686,139

Augmentation allowed.

#### QUARTER HORSE BREED DEVELOPMENT FUND

Standardbred Horse Fund (IC 15-5-5.5-9.5)		
Total Operating Expense	233,155	233,155

Augmentation allowed.

#### FINGERPRINT FEES

Standardbred Horse Fund (IC 15-5-5.5-9.5)		
Total Operating Expense	67,558	67,558

Augmentation allowed.

FOR THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE

Personal Services	3,824,801	3,824,801
Other Operating Expense	835,679	835,679

From the above appropriations for the department of local government finance, travel subsistence and mileage allowances may be paid for members of the local government tax control board created by IC 6-1.1-18.5-11 and the state school property tax control board created by IC 6-1.1-19-4.1, under state travel regulations.

CIRCUIT BREAKER RELIEF APPEAL BOARD

Total Operating Expense	100,000	100,000
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FOR THE INDIANA BOARD OF TAX REVIEW

Personal Services	1,280,166	1,280,166
Other Operating Expense	102,960	102,960

Augmentation allowed from fee increases enacted by P.L.245-2003 and reimbursements from any county under IC 6-1.1-4-34(f), regardless of when the fees or reimbursements were received.

F. ADMINISTRATION

FOR THE DEPARTMENT OF ADMINISTRATION

Personal Services	12,418,473	12,418,473
Other Operating Expense	14,070,807	13,863,207

FOR THE STATE PERSONNEL DEPARTMENT

Personal Services	6,761,767	6,761,767
Other Operating Expense	623,200	623,200

The state must provide a variety of healthcare plan options and not restrict employees to health savings account plans.

FOR THE STATE EMPLOYEES APPEALS COMMISSION

Personal Services	163,650	163,650
Other Operating Expense	16,089	16,089

FOR THE OFFICE OF TECHNOLOGY

Pay Phone Fund		
Total Operating Expense	2,490,000	2,490,000

Augmentation allowed.

The pay phone fund is established for the procurement of hardware, software, and related equipment and services needed to expand and enhance the state campus backbone and other central information technology initiatives. Such procurements may include, but are not limited to, wiring and rewiring of state offices, Internet services, video conferencing, telecommunications, application software, and related services. The fund consists of the net proceeds received from contracts with companies providing phone services at state institutions and other state properties. The fund shall be administered by the budget agency. Money in the fund may be spent

by the office in compliance with a plan approved by the budget agency. Any money remaining in the fund at the end of any fiscal year does not revert to the general fund or any other fund but remains in the pay phone fund.

FOR THE COMMISSION ON PUBLIC RECORDS

Personal Services	1,432,151	1,432,151
Other Operating Expense	132,099	132,099

FOR THE OFFICE OF THE PUBLIC ACCESS COUNSELOR

Personal Services	144,841	144,841
Other Operating Expense	6,004	6,004

G. OTHER

FOR THE COMMISSION ON UNIFORM STATE LAWS

Total Operating Expense	43,584	43,584
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FOR THE OFFICE OF INSPECTOR GENERAL

Personal Services	1,121,264	1,121,074
Other Operating Expense	237,941	237,941

STATE ETHICS COMMISSION

Personal Services	260,816	261,006
Other Operating Expense	2,596	2,596

FOR THE SECRETARY OF STATE

ELECTION DIVISION

Personal Services	676,031	698,959
Other Operating Expense	598,793	598,793

VOTER REGISTRATION AND PROCEDURES

Total Operating Expense	129,920	0
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VOTER LIST MAINTENANCE

Total Operating Expense	112,500	112,500
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H. COMMUNITY SERVICES

FOR THE GOVERNOR'S OFFICE OF FAITH BASED & COMMUNITY INITIATIVES

Personal Services	244,064	244,064
Other Operating Expense	71,488	71,488

**2007-234-4**

SECTION 4.

PUBLIC SAFETY

A. CORRECTION

FOR THE DEPARTMENT OF CORRECTION

CENTRAL OFFICE

Personal Services	15,691,462	15,691,462
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Other Operating Expense	6,652,175	6,652,175
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The above appropriations for central office include \$75,000 each year for the juvenile justice task force.

The above appropriation includes funds to provide a salary increase for custody staff of approximately 4% beginning in fiscal year 2008. In addition, any money that is derived from the Arizona inmates custody project at New Castle is to be deposited in the state general fund and go towards offsetting the appropriation to the department of corrections food services contract.

ESCAPEE COUNSEL AND TRIAL EXPENSE

Other Operating Expense	198,000	198,000
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COUNTY JAIL MISDEMEANANT HOUSING

Total Operating Expense	4,281,101	4,281,101
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ADULT CONTRACT BEDS

Total Operating Expense	3,000,000	3,000,000
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STAFF DEVELOPMENT AND TRAINING

Personal Services	1,198,305	1,198,305
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Other Operating Expense	117,640	117,640
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PAROLE DIVISION

Personal Services	8,126,308	8,126,308
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Other Operating Expense	895,534	895,534
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PAROLE BOARD

Personal Services	580,285	580,285
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Other Operating Expense	20,222	20,222
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INFORMATION MANAGEMENT SERVICES

Personal Services	1,165,728	1,165,728
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Other Operating Expense	36,384	36,384
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JUVENILE TRANSITION

Personal Services	1,122,368	1,122,368
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Other Operating Expense	1,016,342	1,016,342
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COMMUNITY CORRECTIONS PROGRAMS

Total Operating Expense		67,017,281
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The above appropriation for community corrections programs is not subject to transfer to any other fund or to transfer, assignment, or reassignment for any other use or purpose by the state board of finance notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23 or by the budget agency notwithstanding IC 4-12-1-12, or any other law.

DRUG PREVENTION AND OFFENDER TRANSITION

Total Operating Expense	305,431	305,431
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The above appropriation shall be used for minimum security release programs, transition programs, mentoring programs, and supervision of and assistance to adult and juvenile offenders to promote the successful integration of the offender into the community.

CENTRAL EMERGENCY RESPONSE

Personal Services	1,089,474	1,089,474
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Other Operating Expense	108,554	108,554
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MEDICAL SERVICES

Other Operating Expense	45,830,008	48,662,949
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The above appropriations for medical services shall be used only for services that are determined to be medically necessary.

#### DRUG ABUSE PREVENTION

Drug Abuse Fund (IC 11-8-2-11)

Personal Services	42,683	42,683
Other Operating Expense	3,000	3,000

Augmentation allowed.

#### COUNTY JAIL MAINTENANCE CONTINGENCY FUND

Other Operating Expense	20,342,634	20,615,319
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Disbursements from the fund shall be made for the purpose of reimbursing sheriffs for the cost of incarcerating in county jails persons convicted of felonies to the extent that such persons are incarcerated for more than five (5) days after the day of sentencing, at the rate of \$35 per day. In addition to the per diem, the state shall reimburse the sheriffs for expenses determined by the sheriff to be medically necessary medical care to the convicted persons. However, if the sheriff or county receives money with respect to a convicted person (from a source other than the county), the per diem or medical expense reimbursement with respect to the convicted person shall be reduced by the amount received. A sheriff shall not be required to comply with IC 35-38-3-4(a) or transport convicted persons within five (5) days after the day of sentencing if the department of correction does not have the capacity to receive the convicted person.

Augmentation allowed.

#### FOOD SERVICES

Total Operating Expense	28,954,492	28,954,492
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#### MEDICAL SERVICE PAYMENTS

Total Operating Expense	25,000,000	25,000,000
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These appropriations for medical service payments are made to pay for services determined to be medically necessary for committed individuals, patients and students of institutions under the jurisdiction of the department of correction, the state department of health, the division of mental health and addiction, the school for the blind and visually impaired, the school for the deaf, the division of disability and rehabilitative services, or the division of aging if the services are provided outside these institutions. These appropriations may not be used for payments for medical services that are covered by IC 12-16 unless these services have been approved under IC 12-16. These appropriations shall not be used for payment for medical services which are payable from an appropriation in this act for the state department of health, the division of mental health and addiction, the school for the blind and visually impaired, the school for the deaf, the division of disability and rehabilitative services, the division of aging, or the department of correction, or that are reimbursable from funds for medical assistance under IC 12-15. If these appropriations are insufficient to make these medical service payments, there is hereby appropriated such further sums as may be necessary.

Direct disbursements from the above contingency fund are not subject to the provisions



of IC 4-13-2.

FOR THE DEPARTMENT OF ADMINISTRATION

DEPARTMENT OF CORRECTION OMBUDSMAN BUREAU

Personal Services	135,966	136,067
Other Operating Expense	13,124	13,124

FOR THE DEPARTMENT OF CORRECTION

INDIANA STATE PRISON

Personal Services	31,808,589	31,808,589
Other Operating Expense	5,900,491	5,900,491

VOCATIONAL TRAINING PROGRAM

Total Operating Expense	158,365	158,365
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PENDLETON CORRECTIONAL FACILITY

Personal Services	28,109,137	28,109,137
Other Operating Expense	6,754,713	6,754,713

CORRECTIONAL INDUSTRIAL FACILITY

Personal Services	20,436,217	20,436,217
Other Operating Expense	1,356,420	1,356,420

INDIANA WOMEN'S PRISON

Personal Services	8,787,194	8,787,194
Other Operating Expense	1,076,523	1,076,523

PUTNAMVILLE CORRECTIONAL FACILITY

Personal Services	27,418,918	27,418,918
Other Operating Expense	3,849,512	3,849,512

WABASH VALLEY CORRECTIONAL FACILITY

Personal Services	32,087,395	32,087,395
Other Operating Expense	5,369,971	5,369,971

PLAINFIELD EDUCATION RE-ENTRY FACILITY

Personal Services	5,432,892	5,432,892
Other Operating Expense	2,229,376	2,229,376

INDIANAPOLIS JUVENILE CORRECTIONAL FACILITY

Personal Services	10,409,859	10,409,859
Other Operating Expense	1,233,531	1,233,531

BRANCHVILLE CORRECTIONAL FACILITY

Personal Services	15,573,738	15,573,738
Other Operating Expense	2,338,789	2,338,789

WESTVILLE CORRECTIONAL FACILITY

Personal Services	44,501,080	44,501,080
Other Operating Expense	5,722,951	5,722,951

ROCKVILLE CORRECTIONAL FACILITY FOR WOMEN

Personal Services	13,932,287	13,932,287
Other Operating Expense	1,754,770	1,754,770

PLAINFIELD CORRECTIONAL FACILITY

Personal Services	24,178,023	24,178,023
Other Operating Expense	2,274,035	2,274,035

RECEPTION AND DIAGNOSTIC CENTER

Personal Services	10,614,079	10,614,079
Other Operating Expense	527,827	527,827

MIAMI CORRECTIONAL FACILITY

Personal Services	27,240,915	27,240,915
Other Operating Expense	7,513,143	7,513,143
NEW CASTLE CORRECTIONAL FACILITY		
Personal Services	391,583	391,583
Other Operating Expense	16,957,070	21,965,350
SOCIAL SERVICES BLOCK GRANT		
General Fund		
Total Operating Expense	6,119,631	6,119,631
Work Release - Study Release Special Revenue Fund (IC 11-10-8-6.5)		
Total Operating Expense	347,516	347,516
Augmentation allowed from Work Release - Study Release Special Revenue Fund and Social Services Block Grant.		
HENRYVILLE CORRECTIONAL FACILITY		
Personal Services	2,011,534	2,011,534
Other Operating Expense	220,390	220,390
CHAIN O' LAKES CORRECTIONAL FACILITY		
Personal Services	1,517,268	1,517,268
Other Operating Expense	202,531	202,531
MEDARYVILLE CORRECTIONAL FACILITY		
Personal Services	1,543,961	1,543,961
Other Operating Expense	158,005	158,005
MADISON CORRECTIONAL FACILITY		
Personal Services	4,025,414	4,025,414
Other Operating Expense	701,346	701,346
EDINBURGH CORRECTIONAL FACILITY		
Personal Services	3,313,905	3,313,905
Other Operating Expense	495,076	495,076
SOUTH BEND JUVENILE CORRECTIONAL FACILITY		
Personal Services	4,525,393	4,525,393
Other Operating Expense	1,533,354	1,533,354
NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY		
Personal Services	9,601,670	9,601,670
Other Operating Expense	1,359,954	1,359,954
CAMP SUMMIT		
Personal Services	2,281,347	2,281,347
Other Operating Expense	183,677	183,677
PENDLETON JUVENILE CORRECTIONAL FACILITY		
Personal Services	14,913,324	14,913,324
Other Operating Expense	1,623,844	1,623,844

## B. LAW ENFORCEMENT

### FOR THE INDIANA STATE POLICE AND MOTOR CARRIER INSPECTION

From the General Fund

44,101,027 45,527,555

From the Motor Vehicle Highway Account (IC 8-14-1)

76,795,315 79,279,296

From the Motor Carrier Regulation Fund (IC 8-2.1-23)

4,232,556 4,368,936

Augmentation allowed from the general fund, the motor vehicle highway account, and the motor carrier regulation fund.

The amounts specified from the General Fund, the Motor Vehicle Highway Account, and the Motor Carrier Regulation Fund are for the following purposes:

Personal Services	108,085,378	112,132,267
Other Operating Expense	17,043,520	17,043,520

The above appropriations for personal services and other operating expense include funds to continue the state police minority recruiting program.

The foregoing appropriations for the Indiana state police and motor carrier inspection include funds for the police security detail to be provided to the Indiana state fair board. However, amounts actually expended to provide security for the Indiana state fair board as determined by the budget agency shall be reimbursed by the Indiana state fair board to the state general fund.

The above appropriations for personal services include amounts to fund a new 20-year pay matrix that increases the maximum annual salary for the rank of trooper to \$60,000 phased in over the 2008-2009 biennium. The above appropriations also include funds to provide salary increases of \$3,500 for weighmasters and capital police in each year of the 2008-2009 biennium.

#### ODOMETER FRAUD INVESTIGATION

From the Motor Vehicle Odometer Fund (IC 9-29-1-5)

Total Operating Expense	25,000	25,000
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Augmentation allowed.

#### STATE POLICE TRAINING

From the State Police Training Fund (IC 5-2-8-5)

Total Operating Expense	300,100	300,100
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Augmentation allowed.

#### FORENSIC AND HEALTH SCIENCES LABORATORIES

From the General Fund

3,888,671	3,888,671
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From the Motor Carrier Regulation Fund (IC 8-2.1-23)

386,658	386,658
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From the Motor Vehicle Highway Account (IC 8-14-1)

6,772,031	6,772,031
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Augmentation allowed from the general fund, the motor vehicle highway account, and the motor carrier regulation fund.

The amounts specified from the General Fund, the Motor Vehicle Highway Account, and the Motor Carrier Regulation Fund are for the following purposes:

Personal Services	9,616,473	9,616,473
Other Operating Expense	1,430,887	1,430,887

#### ENFORCEMENT AID

From the General Fund

Total Operating Expense	40,000	40,000
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From the Motor Vehicle Highway Account (IC 8-14-1)		
Total Operating Expense	40,000	40,000

The above appropriations for enforcement aid are to meet unforeseen emergencies of a confidential nature. They are to be expended under the direction of the superintendent and to be accounted for solely on the superintendent's authority.

#### PENSION FUND

From the General Fund		
Total Operating Expense	4,736,246	4,736,246
From the Motor Vehicle Highway Account (IC 8-14-1)		
Total Operating Expense	4,736,247	4,736,247

The above appropriations shall be paid into the state police pension fund provided for in IC 10-12-2 in twelve (12) equal installments on or before July 30 and on or before the 30th of each succeeding month thereafter.

#### BENEFIT FUND

From the General Fund		
Total Operating Expense	1,713,151	1,713,151
Augmentation allowed.		
From the Motor Vehicle Highway Account (IC 8-14-1)		
Total Operating Expense	1,713,151	1,713,151
Augmentation allowed.		

All benefits to members shall be paid by warrant drawn on the treasurer of state by the auditor of state on the basis of claims filed and approved by the trustees of the state police pension and benefit funds created by IC 10-12-2.

#### SUPPLEMENTAL PENSION

General Fund		
Total Operating Expense	1,900,753	1,900,753
Augmentation allowed.		
Motor Vehicle Highway Account (IC 8-14-1)		
Total Operating Expense	1,900,753	1,900,753
Augmentation allowed.		

If the above appropriations for supplemental pension for any one (1) year are greater than the amount actually required under the provisions of IC 10-12-5, then the excess shall be returned proportionately to the funds from which the appropriations were made. If the amount actually required under IC 10-12-5 is greater than the above appropriations, then, with the approval of the governor and the budget agency, those sums may be augmented from the general fund and the motor vehicle highway account.

#### ACCIDENT REPORTING

Accident Report Account (IC 9-29-11-1)		
Total Operating Expense	84,760	84,760
Augmentation allowed.		

#### DRUG INTERDICTION

Drug Interdiction Fund (IC 10-11-7)		
Total Operating Expense	273,420	273,420
Augmentation allowed.		
FOR THE INTEGRATED PUBLIC SAFETY COMMISSION		
PROJECT SAFE-T		
Integrated Public Safety Communications Fund (IC 5-26-4-1)		
Total Operating Expense	13,000,000	13,000,000
Augmentation allowed.		
FOR THE ADJUTANT GENERAL		
Personal Services	8,253,098	8,253,098
Other Operating Expense	2,868,184	2,868,184
DISABLED SOLDIERS' PENSION		
Other Operating Expense	1	1
Augmentation allowed.		
MUTC - MUSCATATUCK URBAN TRAINING CENTER		
Total Operating Expense	2,600,000	2,600,000
HOOSIER YOUTH CHALLENGE ACADEMY		
Total Operating Expense	1,200,000	1,200,000
GOVERNOR'S CIVIL AND MILITARY CONTINGENCY FUND		
Total Operating Expense		320,000

The above appropriations for the adjutant general governor's civil and military contingency fund are made under IC 10-16-11-1.

FOR THE CRIMINAL JUSTICE INSTITUTE		
ADMINISTRATIVE MATCH		
Total Operating Expense	440,467	440,467
DRUG ENFORCEMENT MATCH		
Total Operating Expense	2,846,955	2,846,955
VICTIM AND WITNESS ASSISTANCE FUND		
Victim and Witness Assistance Fund (IC 5-2-6-14)		
Total Operating Expense	630,902	630,902
Augmentation allowed.		
ALCOHOL AND DRUG COUNTERMEASURES		
Alcohol and Drug Countermeasures Fund (IC 9-27-2-11)		
Total Operating Expense	386,000	386,000
Augmentation allowed.		
STATE DRUG FREE COMMUNITIES FUND		
State Drug Free Communities Fund (IC 5-2-10-2)		
Total Operating Expense	527,477	527,477
Augmentation allowed.		
INDIANA SAFE SCHOOLS		
General Fund		
Total Operating Expense	1,660,300	1,660,300
Indiana Safe Schools Fund (IC 5-2-10.1-2)		
Total Operating Expense	400,052	400,052
Augmentation allowed from Indiana Safe Schools Fund.		

Of the above appropriations for the Indiana safe schools program, \$1,317,000 is appropriated

annually to provide grants to school corporations for school safe haven programs, emergency preparedness programs, and school safety programs, and \$750,000 is appropriated annually for use in providing training to school safety specialists.

#### OFFICE OF TRAFFIC SAFETY

##### Motor Vehicle Highway Account (IC 8-14-1)

Personal Services	571,560	571,560
Other Operating Expense	11,069,560	11,069,560

Augmentation allowed.

The above appropriation for the office of traffic safety is from the motor vehicle highway account and may be used to fund traffic safety projects that are included in a current highway safety plan approved by the governor and the budget agency. The department shall apply to the national highway traffic safety administration for reimbursement of all eligible project costs. Any federal reimbursement received by the department for the highway safety plan shall be deposited into the motor vehicle highway account.

#### PROJECT IMPACT

Total Operating Expense	196,000	196,000
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#### VICTIMS OF VIOLENT CRIME ADMINISTRATION

##### Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)

Personal Services	142,988	195,890
Other Operating Expense	2,318,098	2,331,298

Augmentation allowed.

#### FOR THE CORONERS' TRAINING BOARD

##### Coroners Training and Continuing Education Fund (IC 4-23-6.5-8)

Personal Services	10,000	10,000
Other Operating Expense	390,000	390,000

Augmentation allowed.

#### FOR THE LAW ENFORCEMENT TRAINING ACADEMY

##### From the General Fund

2,190,935	2,190,935
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##### From the Law Enforcement Academy Training Fund (IC 5-2-1-13(b))

2,220,046	2,220,046
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Augmentation allowed from the Law Enforcement Academy Training Fund.

The amounts specified from the General Fund and the Law Enforcement Training Fund are for the following purposes:

Personal Services	3,547,811	3,547,811
Other Operating Expense	863,170	863,170

#### FOR THE NORTHWEST INDIANA LAW ENFORCEMENT TRAINING ACADEMY

Total Operating Expense	150,000	150,000
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#### C. REGULATORY AND LICENSING

#### FOR THE BUREAU OF MOTOR VEHICLES

Motor Vehicle Highway Account (IC 8-14-1)		
Personal Services	20,312,250	20,312,250
Other Operating Expense	15,357,889	15,357,889
Augmentation allowed.		
LICENSE PLATES		
Motor Vehicle Highway Account (IC 8-14-1)		
Total Operating Expense	15,928,890	5,600,000
Augmentation allowed.		
DEALER INVESTIGATOR EXPENSES		
Motor Vehicle Odometer Fund (IC 9-29-1-5)		
Total Operating Expense	207,766	207,766
Augmentation allowed.		
FINANCIAL RESPONSIBILITY COMPLIANCE VERIFICATION		
Financial Responsibility Compliance Verification Fund (IC 9-25-9-7)		
Total Operating Expense	6,858,480	6,858,480
Augmentation allowed.		
ABANDONED VEHICLES		
Abandoned Vehicle Fund (IC 9-22-1-28)		
Total Operating Expense	463,207	463,207
Augmentation allowed.		
STATE MOTOR VEHICLE TECHNOLOGY		
State Motor Vehicle Technology Fund (IC 9-29-16-1)		
Total Operating Expense	5,424,425	5,424,425
Augmentation allowed.		
FOR THE DEPARTMENT OF LABOR		
Personal Services	918,171	918,171
Other Operating Expense	124,192	124,192
INDUSTRIAL HYGIENE		
Personal Services	1,256,421	1,256,421
Other Operating Expense	152,287	152,287
BUREAU OF MINES AND MINE SAFETY		
Personal Services	184,738	184,738
Other Operating Expense	45,998	45,998
M.I.S. RESEARCH AND STATISTICS		
Personal Services	239,744	239,744
Other Operating Expense	26,014	26,014

The above funds are appropriated to occupational safety and health, industrial hygiene, and management information services research and statistics to provide the total program cost of the Indiana occupational safety and health plan as approved by the United States Department of Labor. Inasmuch as the state is eligible to receive from the federal government partial reimbursement of the state's total Indiana occupational safety and health plan program cost, it is the intention of the general assembly that the department of labor make application to the federal government for the federal share of the total program cost. Federal funds received shall be considered a reimbursement of state expenditures and as such shall be deposited into the state general fund.

The above appropriation for personal services to the Bureau of Mines and Mine Safety includes an amount for the employment of an additional mine safety inspector for the Bureau of Mines and Mine Safety at a salary of at least \$53,000 and fringe benefits

of \$21,767. The above appropriation for other operating expense includes \$30,000 for the purchase of additional mine rescue equipment. The amount provided for these purposes may not be used for any other purpose.

#### OCCUPATIONAL SAFETY AND HEALTH

Personal Services	2,278,287	2,278,287
Other Operating Expense	326,318	326,318

#### EMPLOYMENT OF YOUTH

Employment of Youth Fund (IC 20-33-3-42)		
Total Operating Expense	75,473	75,473

Augmentation allowed.

#### BUREAU OF SAFETY EDUCATION AND TRAINING

Special Fund for Safety and Health Consultation Service (IC 22-8-1.1-48)		
Personal Services	856,406	856,406
Other Operating Expense	227,884	227,884

Augmentation allowed.

Federal cost reimbursements for expenses attributable to the Bureau of Safety Education and Training appropriations shall be deposited into the special fund for safety and health consultation services.

The above appropriations for the Bureau of Safety Education and Training shall not be used to compete with consultation services provided by legitimate engineering firms, insurance companies, or professional consultants. The Bureau of Safety Education and Training shall limit training activities to private companies for which it has conducted an on-site consultation and shall limit training to only direct employees at that site.

#### FOR THE DEPARTMENT OF INSURANCE

Department of Insurance Fund (IC 27-1-3-28)		
Personal Services	5,544,812	5,544,812
Other Operating Expense	1,269,333	1,269,333

Augmentation allowed.

#### BAIL BOND DIVISION

Bail Bond Enforcement and Administration Fund (IC 27-10-5-1)		
Personal Services	177,215	177,215
Other Operating Expense	11,280	11,280

Augmentation allowed.

#### PATIENTS' COMPENSATION AUTHORITY

Patient's Compensation Fund (IC 34-18-6-1)		
Personal Services	722,263	722,263
Other Operating Expense	1,322,435	1,322,435

Augmentation allowed.

#### POLITICAL SUBDIVISION RISK MANAGEMENT

Political Subdivision Risk Management Fund (IC 27-1-29-10)		
Personal Services	109,874	109,874
Other Operating Expense	802,850	802,850

Augmentation allowed.

#### MINE SUBSIDENCE INSURANCE

Mine Subsidence Insurance Fund (IC 27-7-9-7)		
Personal Services	119,154	119,154



Other Operating Expense	802,060	802,060
Augmentation allowed.		

FOR THE ALCOHOL AND TOBACCO COMMISSION

Enforcement and Administration Fund (IC 7.1-4-10-1)		
Personal Services	8,348,642	8,589,036
Other Operating Expense	2,424,940	2,424,940
Augmentation allowed.		

The above appropriations for personal services include funds for a new 20-year pay matrix that increases the maximum annual salary for the officer rank to \$60,000 phased in over the 2008-2009 biennium.

ALCOHOLIC BEVERAGE ENFORCEMENT OFFICERS' TRAINING

Alcoholic Beverage Commission Enforcement Officers' Training Fund (IC 5-2-8-8)		
Total Operating Expense	3,500	3,500
Augmentation allowed from the Alcoholic Beverage Enforcement Officers' Training Fund.		

FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS

Financial Institutions Fund (IC 28-11-2-9)		
Personal Services	6,787,643	6,787,643
Other Operating Expense	1,764,048	1,703,411
Augmentation allowed.		

FOR THE PROFESSIONAL LICENSING AGENCY

Personal Services	4,769,078	4,769,078
Other Operating Expense	1,130,056	1,130,056

PRENEED CONSUMER PROTECTION

Preneed Consumer Protection Fund (IC 30-2-13-28)		
Total Operating Expense	15,000	15,000
Augmentation allowed.		

EMBALMERS' AND FUNERAL DIRECTORS' EDUCATION

Funeral Service Education Fund (IC 25-15-9-13)		
Total Operating Expense	5,000	5,000
Augmentation allowed.		

FOR THE CIVIL RIGHTS COMMISSION

Personal Services	1,969,921	1,969,921
Other Operating Expense	406,447	406,447

It is the intention of the general assembly that the civil rights commission shall apply to the federal government for funding based upon the processing of employment and housing discrimination complaints by the civil rights commission. Such federal funds received by the state shall be considered as a reimbursement of state expenditures and shall be deposited into the state general fund.

MARTIN LUTHER KING JR. HOLIDAY COMMISSION

Total Operating Expense	20,000	20,000
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FOR THE UTILITY CONSUMER COUNSELOR

Public Utility Fund (IC 8-1-6-1)		
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Personal Services	4,524,732	4,524,732
Other Operating Expense	1,081,422	1,081,422
Augmentation allowed.		

#### EXPERT WITNESS FEES AND AUDIT

Public Utility Fund (IC 8-1-6-1)		
Total Operating Expense		1,550,000
Augmentation allowed.		

#### FOR THE UTILITY REGULATORY COMMISSION

Public Utility Fund (IC 8-1-6-1)		
Personal Services	6,454,330	6,454,330
Other Operating Expense	2,192,411	2,192,411
Augmentation allowed.		

#### FOR THE WORKERS' COMPENSATION BOARD

From the General Fund		
	2,062,635	2,062,635
Workers' Compensation Supplemental Administration Fund (IC 22-3-5-6)		
	114,210	114,210
Augmentation allowed.		

The amounts specified from the general fund and the workers' compensation supplemental administrative fund are for the following purposes:

Personal Services	1,983,762	1,983,762
Other Operating Expense	193,083	193,083

#### FOR THE STATE BOARD OF ANIMAL HEALTH

Personal Services	4,395,935	4,395,935
Other Operating Expense	1,023,027	925,027

#### INDEMNITY FUND

Total Operating Expense		45,788
Augmentation allowed.		

#### MEAT & POULTRY INSPECTION

Total Operating Expense	1,861,010	1,861,010
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#### FOR THE DEPARTMENT OF HOMELAND SECURITY

From the General Fund		
	1,646,556	1,646,556
From the Fire and Building Services Fund (IC 22-12-6-1)		
	14,996,403	14,996,403
Augmentation allowed from the fire and building services fund.		

The amounts specified from the general fund and the fire and building services fund are for the following purposes:

Personal Services	12,649,394	12,649,394
Other Operating Expense	3,993,565	3,993,565

#### REGIONAL PUBLIC SAFETY TRAINING

Regional Public Safety Training Fund (IC 10-15-3-12)		
Total Operating Expense	2,000,000	2,000,000

Any unexpended balances in the FY 2006-2007 appropriation for regional public safety training remain appropriated and are available for expenditure.

EMERGENCY MANAGEMENT CONTINGENCY FUND		
Total Operating Expense	242,500	242,500

The above appropriations for the emergency management contingency fund are made under IC 10-14-3-28. The above appropriations shall be in addition to any unexpended balances in the fund as of June 30, 2007.

COMMUNICATIONS		
Total Operating Expense	30,182	30,182

INDIANA HOMELAND SECURITY FUND		
From the Indiana Homeland Security Fund (IC 10-15-3-1)		
Total Operating Expense	520,000	520,000
Augmentation allowed.		

INDIANA EMERGENCY RESPONSE COMMISSION		
From the Emergency Planning and Right to Know Fund (IC 6-6-10-5 & 7)		
Total Operating Expense	45,408	45,408
Augmentation allowed.		

STATE DISASTER RELIEF FUND		
From the State Disaster Relief Fund (IC 10-14-4-5)		
Total Operating Expense	500,000	500,000
Augmentation allowed, not to exceed revenues collected from the public safety fee imposed by IC 22-11-14-12.		

Augmentation allowed from the general fund to match federal disaster relief funds.

INDIANA INTELLIGENCE FUSION CENTER		
From the Fire and Building Services Fund (IC 22-12-6-1)		
Total Operating Expense	399,585	2,110,730
Augmentation allowed.		

**2007-234-5**  
SECTION 5.

CONSERVATION AND ENVIRONMENT

A. NATURAL RESOURCES

FOR THE DEPARTMENT OF NATURAL RESOURCES - ADMINISTRATION		
Personal Services	7,778,972	7,778,972
Other Operating Expense	1,185,019	1,185,019
ENTOMOLOGY AND PLANT PATHOLOGY DIVISION		
Personal Services	653,552	653,552
Other Operating Expense	161,137	161,137
ENTOMOLOGY AND PLANT PATHOLOGY FUND (IC 14-24-10-3)		

Total Operating Expense		693,756
Augmentation allowed.		
ENGINEERING DIVISION		
Personal Services	1,644,141	1,644,141
Other Operating Expense	123,151	123,151
STATE MUSEUM		
Personal Services	5,593,509	5,593,509
Other Operating Expense	1,931,841	1,931,841
HISTORIC PRESERVATION DIVISION		
Personal Services	879,579	879,579
Other Operating Expense	72,484	72,484
HISTORIC PRESERVATION - FEDERAL		
Total Operating Expense	70,000	70,000
STATE HISTORIC SITES		
Personal Services	2,483,942	2,483,942
Other Operating Expense	627,287	627,287

From the above appropriations, \$75,000 in each state fiscal year shall be used for the Grissom Museum.

WABASH RIVER HERITAGE CORRIDOR		
Total Operating Expense	91,000	91,000
OUTDOOR RECREATION DIVISION		
Personal Services	625,218	625,218
Other Operating Expense	42,800	42,800
NATURE PRESERVES DIVISION		
Personal Services	906,847	906,847
Other Operating Expense	76,303	76,303
WATER DIVISION		
Personal Services	4,369,300	4,369,300
Other Operating Expense	479,605	479,605

All revenues accruing from state and local units of government and from private utilities and industrial concerns as a result of water resources study projects, and as a result of topographic and other mapping projects, shall be deposited into the state general fund, and such receipts are hereby appropriated, in addition to the foregoing amounts, for water resources studies.

GREAT LAKES COMMISSION		
Other Operating Expense	61,000	61,000
DEER RESEARCH AND MANAGEMENT		
Deer Research and Management Fund (IC 14-22-5-2)		
Total Operating Expense	268,788	268,788
Augmentation allowed.		
OIL AND GAS DIVISION		
From the General Fund		
876,949	876,949	
From the Oil and Gas Fund (IC 6-8-1-27)		
528,269	528,269	
Augmentation allowed from the Oil and Gas Fund.		

The amounts specified from the General Fund and the Oil and Gas Fund are for the following purposes:

Personal Services	1,145,545	1,145,545
Other Operating Expense	259,673	259,673

#### STATE PARKS AND RESERVOIRS

From the General Fund

12,463,162	12,463,162
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From the State Parks and Reservoirs Special Revenue Fund (IC 14-19-8-2)

20,340,440	20,340,440
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Augmentation allowed from the State Parks and Reservoirs Special Revenue Fund.

The amounts specified from the General Fund and the State Parks and Reservoirs Special Revenue Fund are for the following purposes:

Personal Services	24,161,700	24,161,700
Other Operating Expense	8,641,902	8,641,902

#### DRAMATIC PRODUCTION OF YOUNG ABE LINCOLN

Total Operating Expense	825,000
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#### OFF-ROAD VEHICLE AND SNOWMOBILE FUND

Off-Road Vehicle and Snowmobile Fund (IC 14-16-1-30)

Total Operating Expense	300,000	300,000
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Augmentation allowed.

#### LAW ENFORCEMENT DIVISION

From the General Fund

10,274,159	10,745,768
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From the Fish and Wildlife Fund (IC 14-22-3-2)

12,322,819	12,888,397
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Augmentation allowed from the Fish and Wildlife Fund.

The amounts specified from the General Fund and the Fish and Wildlife Fund are for the following purposes:

Personal Services	18,775,031	19,812,218
Other Operating Expense	3,821,947	3,821,947

The above appropriations for personal services law enforcement division include funds for a new 20-year pay matrix that increases the maximum annual salary for the officer rank to \$60,000 phased in over the 2008-2009 biennium.

#### FISH AND WILDLIFE DIVISION

Fish and Wildlife Fund (IC 14-22-3-2)

Personal Services	12,516,802	12,516,802
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Other Operating Expense	5,306,937	5,306,937
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Augmentation allowed.

#### FORESTRY DIVISION

From the General Fund

1,087,227	1,087,227
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From the State Forestry Fund (IC 14-23-3-2)

11,327,465	11,327,465
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Augmentation allowed from the State Forestry Fund.

The amounts specified from the General Fund and the State Forestry Fund are for the following purposes:

Personal Services	7,912,404	7,912,404
Other Operating Expense	4,502,288	4,502,288

All money expended by the division of forestry of the department of natural resources for the detention and suppression of forest, grassland, and wasteland fires shall be through the enforcement division of the department, and the employment with such money of all personnel, with the exception of emergency labor, shall be in accordance with IC 14-9-8.

## RECLAMATION DIVISION

From the General Fund	1,478	1,478
From the Natural Resources Reclamation Division Fund (IC 14-34-14-2)	4,931,999	4,931,999
Augmentation allowed from the Natural Resources Reclamation Division Fund.		

The amounts specified from the General Fund and the Natural Resources Reclamation Division Fund are for the following purposes:

Personal Services	4,253,559	4,253,559
Other Operating Expense	679,918	679,918

In addition to any of the foregoing appropriations for the department of natural resources, any federal funds received by the state of Indiana for support of approved outdoor recreation projects for planning, acquisition, and development under the provisions of the federal Land and Water Conservation Fund Act, P.L.88-578, are appropriated for the uses and purposes for which the funds were paid to the state, and shall be distributed by the department of natural resources to state agencies and other governmental units in accordance with the provisions under which the funds were received.

## LAKE MICHIGAN COASTAL PROGRAM

Cigarette Tax Fund (IC 6-7-1-29.1)		
Total Operating Expense	134,547	134,547
Augmentation allowed.		

## LAKE AND RIVER ENHANCEMENT

Lake and River Enhancement Fund (IC 6-6-11-12.5)	
Total Operating Expense	4,685,856
Augmentation allowed.	

CONSERVATION OFFICERS' MARINE ENFORCEMENT FUND

Lake and River Enhancement Fund (IC 6-6-11-12.5)		
Total Operating Expense	820,000	820,000
Augmentation allowed.		

## HERITAGE TRUST

Total Operating Expense	2,000,000	2,000,000
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## B. OTHER NATURAL RESOURCES

### FOR THE WORLD WAR MEMORIAL COMMISSION

Personal Services	1,001,309	1,001,309
Other Operating Expense	534,125	534,125

All revenues received as rent for space in the buildings located at 777 North Meridian Street and 700 North Pennsylvania Street, in the city of Indianapolis, that exceed the costs of operation and maintenance of the space rented, shall be paid into the general fund. The American Legion shall provide for the complete maintenance of the interior of these buildings.

### FOR THE INDIANA ABRAHAM LINCOLN BICENTENNIAL COMMISSION

Total Operating Expense	737,500	737,500
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### FOR THE WHITE RIVER PARK COMMISSION

Total Operating Expense	1,218,267	1,218,267
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### FOR THE MAUMEE RIVER BASIN COMMISSION

Total Operating Expense	75,000	75,000
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### FOR THE ST. JOSEPH RIVER BASIN COMMISSION

Total Operating Expense	65,127	65,127
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### FOR THE KANKAKEE RIVER BASIN COMMISSION

Total Operating Expense	75,000	75,000
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## C. ENVIRONMENTAL MANAGEMENT

### FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT ADMINISTRATION

#### From the General Fund

4,320,865	4,320,865
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#### From the State Solid Waste Management Fund (IC 13-20-22-2)

111,482	122,493
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#### From the Waste Tire Management Fund (IC 13-20-13-8)

44,784	46,088
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#### From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)

720,075	615,736
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#### From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

812,454	825,445
---------	---------

#### From the Environmental Management Special Fund (IC 13-14-12-1)

83,604	93,766
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#### From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

199,570	206,379
---------	---------

#### From the Asbestos Trust Fund (IC 13-17-6-3)

28,829	32,854
--------	--------

#### From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

36,678	37,746
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#### From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

1,949,685	2,006,468
From the Lead Trust Fund (IC 13-17-14-6)	

1,330	1,516
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Augmentation allowed from the State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, Underground Petroleum Storage Tank Excess Liability Trust Fund, and Lead Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, Underground Petroleum Storage Tank Excess Liability Trust Fund, and Lead Trust Fund are for the following purposes:

Personal Services	5,829,424	5,829,424
Other Operating Expense	2,479,932	2,479,932

#### LABORATORY CONTRACTS

General Fund

244,886	113,746
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Environmental Management Special Fund (IC 13-14-12-1)

671,809	802,949
---------	---------

Hazardous Substances Response Trust Fund (IC 13-25-4-1)

1,565,126	1,565,126
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Augmentation allowed from the Environmental Management Special Fund and the Hazardous Substances Response Trust Fund.

The amounts specified from the General Fund, Environmental Management Special Fund, and Hazardous Substances Response Trust Fund are for the following purpose:

Total Operating Expense	2,481,821	2,481,821
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#### NORTHWEST REGIONAL OFFICE

From the General Fund

589,301	589,601
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From the State Solid Waste Management Fund (IC 13-20-22-2)

34,569	40,242
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From the Waste Tire Management Fund (IC 13-20-13-8)

18,810	20,232
--------	--------

From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)

434,188	393,452
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From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

280,387	297,510
---------	---------

From the Environmental Management Special Fund (IC 13-14-12-1)

29,198	34,682
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From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

81,723	88,280
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From the Asbestos Trust Fund (IC 13-17-6-3)

17,383	20,993
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From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

15,405	16,570
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From the Lead Trust Fund (IC 13-17-14-6)

802	969
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Augmentation allowed from the State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Lead Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Lead Trust Fund are for the following purposes:

Personal Services	1,275,506	1,275,506
Other Operating Expense	226,260	227,025

#### NORTHERN REGIONAL OFFICE

From the General Fund

431,985	462,585
---------	---------

From the State Solid Waste Management Fund (IC 13-20-22-2)

45,014	55,768
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From the Waste Tire Management Fund (IC 13-20-13-8)

12,246	14,019
--------	--------

From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)

376,914	363,498
---------	---------

From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

288,572	326,712
---------	---------

From the Environmental Management Special Fund (IC 13-14-12-1)

29,549	36,621
--------	--------

From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

57,061	65,943
--------	--------

From the Asbestos Trust Fund (IC 13-17-6-3)

15,090	19,395
--------	--------

From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

10,030	11,481
--------	--------

From the Lead Trust Fund (IC 13-17-14-6)

696	895
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Augmentation allowed from the State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Lead Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Lead Trust Fund are for the following purposes:

Personal Services	1,082,790	1,082,790
Other Operating Expense	184,367	274,127

#### SOUTHWEST REGIONAL OFFICE

From the General Fund	424,876	424,876
From the State Solid Waste Management Fund (IC 13-20-22-2)	121,800	126,933
From the Waste Tire Management Fund (IC 13-20-13-8)	16,630	17,443
From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)	191,931	169,603
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)	190,303	196,487
From the Environmental Management Special Fund (IC 13-14-12-1)	40,662	44,735
From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)	87,872	91,902
From the Asbestos Trust Fund (IC 13-17-6-3)	7,684	9,050
From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)	13,620	14,286
From the Lead Trust Fund (IC 13-17-14-6)	355	418

Augmentation allowed from the State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Lead Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Lead Trust Fund are for the following purposes:

Personal Services	911,741	911,741
Other Operating Expense	183,992	183,992

#### LEGAL AFFAIRS

From the General Fund	532,441	532,441
From the State Solid Waste Management Fund (IC 13-20-22-2)	27,157	31,023
From the Waste Tire Management Fund (IC 13-20-13-8)	8,708	9,158
From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)	111,467	99,121
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		

	167,294	174,261
From the Environmental Management Special Fund (IC 13-14-12-1)	17,879	20,559
From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)	39,744	42,151
From the Asbestos Trust Fund (IC 13-17-6-3)	4,463	5,289
From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)	7,132	7,500
From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)	379,114	398,678
From the Lead Trust Fund (IC 13-17-14-6)	206	244

Augmentation allowed from the State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, Underground Petroleum Storage Tank Excess Liability Trust Fund, and Lead Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, Underground Petroleum Storage Tank Excess Liability Trust Fund, and Lead Trust Fund are for the following purposes:

Personal Services	806,542	806,542
Other Operating Expense	489,063	513,883

#### ENFORCEMENT

From the General Fund	1,093,915	1,093,915
From the State Solid Waste Management Fund (IC 13-20-22-2)	3,592	4,118
From the Waste Tire Management Fund (IC 13-20-13-8)	77,266	80,138
From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)	308,247	275,056
From the Environmental Management Special Fund (IC 13-14-12-1)	78,809	92,721
From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)	312,003	323,089
From the Asbestos Trust Fund (IC 13-17-6-3)	12,341	14,676
From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)	63,281	65,633
From the Lead Trust Fund (IC 13-17-14-6)	569	677

Augmentation allowed from the State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental

Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Lead Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Lead Trust Fund are for the following purposes:

Personal Services	1,837,953	1,837,953
Other Operating Expense	112,070	112,070

#### INVESTIGATIONS

From the General Fund

191,714	191,714
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From the State Solid Waste Management Fund (IC 13-20-22-2)

6,215	6,258
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From the Waste Tire Management Fund (IC 13-20-13-8)

15,522	16,179
--------	--------

From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)

39,350	30,724
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From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

123,334	125,580
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From the Environmental Management Special Fund (IC 13-14-12-1)

13,478	16,015
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From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

63,620	66,158
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From the Asbestos Trust Fund (IC 13-17-6-3)

1,575	1,639
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From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

12,713	13,251
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From the Lead Trust Fund (IC 13-17-14-6)

73	76
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Augmentation allowed from the State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Lead Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Lead Trust Fund are for the following purposes:

Personal Services	373,135	373,135
Other Operating Expense	94,459	94,459

#### MEDIA AND COMMUNICATIONS

From the General Fund

446,898	446,898
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From the State Solid Waste Management Fund (IC 13-20-22-2)	10,068	10,137
From the Waste Tire Management Fund (IC 13-20-13-8)	5,710	5,941
From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)	63,743	49,770
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)	78,335	79,708
From the Environmental Management Special Fund (IC 13-14-12-1)	8,391	9,403
From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)	24,734	25,637
From the Asbestos Trust Fund (IC 13-17-6-3)	2,552	2,656
From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)	4,676	4,866
From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)	248,571	258,657
From the Lead Trust Fund (IC 13-17-14-6)	118	123

Augmentation allowed from the State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, Underground Petroleum Storage Tank Excess Liability Trust Fund, and Lead Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, Underground Petroleum Storage Tank Excess Liability Trust Fund, and Lead Trust Fund are for the following purposes:

Personal Services	833,910	833,910
Other Operating Expense	59,886	59,886

#### COMMUNITY RELATIONS

From the General Fund	462,989	462,989
From the State Solid Waste Management Fund (IC 13-20-22-2)	15,009	15,112
From the Waste Tire Management Fund (IC 13-20-13-8)	8,512	8,858
From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)	95,031	74,199
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)	116,785	118,832
From the Environmental Management Special Fund (IC 13-14-12-1)	12,509	14,018
From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)		

	36,875	38,220
From the Asbestos Trust Fund (IC 13-17-6-3)		
	3,805	3,959
From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
	6,972	7,254
From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)		
	370,579	385,618
From the Lead Trust Fund (IC 13-17-14-6)		
	176	183
Augmentation allowed from the State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, Underground Petroleum Storage Tank Excess Liability Trust Fund, and Lead Trust Fund.		

The amounts specified from the General Fund, State Solid Waste Management Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, Underground Petroleum Storage Tank Excess Liability Trust Fund, and Lead Trust Fund are for the following purposes:

Personal Services	1,020,294	1,020,294
Other Operating Expense	108,948	108,948
OHIO RIVER VALLEY WATER SANITATION COMMISSION		
Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	252,500	252,500
Augmentation allowed.		
OFFICE OF ENVIRONMENTAL RESPONSE		
Personal Services	2,177,219	2,177,219
Other Operating Expense	321,248	353,248
POLLUTION PREVENTION AND TECHNICAL ASSISTANCE		
Personal Services	1,300,207	1,300,207
Other Operating Expense	808,621	808,621
PCB INSPECTIONS		
Environmental Management Permit Operation Fund (IC 13-15-11-1)		
Total Operating Expense	30,561	30,561
Augmentation allowed.		
U.S. GEOLOGICAL SURVEY CONTRACTS		
Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	62,890	62,890
Augmentation allowed.		
STATE SOLID WASTE GRANTS MANAGEMENT		
State Solid Waste Management Fund (IC 13-20-22-2)		
Personal Services	385,092	385,092
Other Operating Expense	1,378,808	1,378,808
Augmentation allowed.		
RECYCLING OPERATING		
Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)		

Personal Services	259,711	259,711
Other Operating Expense	90,292	90,292
Augmentation allowed.		
<b>VOLUNTARY CLEAN-UP PROGRAM</b>		
Voluntary Remediation Fund (IC 13-25-5-21)		
Personal Services	665,627	665,627
Other Operating Expense	229,900	229,900
Augmentation allowed.		

### **TITLE V AIR PERMIT PROGRAM**

Title V Operating Permit Program Trust Fund (IC 13-17-8-1)		
Personal Services	7,265,027	7,265,027
Other Operating Expense	4,501,920	1,564,171
Augmentation allowed.		

### **WATER MANAGEMENT PERMITTING**

From the General Fund		
	2,548,364	2,527,288
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
	5,593,375	5,547,117
Augmentation allowed from the Environmental Management Permit Operation Fund.		

The amounts specified from the General Fund and the Environmental Management Permit Operation Fund are for the following purposes:

Personal Services	6,882,416	6,882,416
Other Operating Expense	1,259,323	1,191,989

### **SOLID WASTE MANAGEMENT PERMITTING**

From the General Fund		
	2,337,961	2,311,961
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
	3,656,812	3,163,482
Augmentation allowed from the Environmental Management Permit Operation Fund.		

The amounts specified from the General Fund and the Environmental Management Permit Operation Fund are for the following purposes:

Personal Services	4,723,666	4,723,666
Other Operating Expense	1,271,107	751,777

### **CFO/CAFO INSPECTIONS**

Total Operating Expense	450,000	450,000
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### **HAZARDOUS WASTE MANAGEMENT PERMITTING**

From the General Fund		
	2,380,469	2,370,335
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
	2,899,411	2,487,311
Augmentation allowed from the Environmental Management Permit Operation Fund.		

The amounts specified from the General Fund and the Environmental Management Permit Operation Fund are for the following purposes:

Personal Services	4,245,060	4,245,060
Other Operating Expense	1,034,820	612,586

#### SAFE DRINKING WATER PROGRAM

From the General Fund

438,561	415,228
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From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

2,280,509	2,159,176
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Augmentation allowed from the Environmental Management Permit Operation Fund.

The amounts specified from the General Fund and the Environmental Management Permit Operation Fund are for the following purposes:

Personal Services	1,955,356	1,955,356
Other Operating Expense	763,714	619,048

#### CLEAN VESSEL PUMPOUT

Environmental Management Special Fund (IC 13-14-12-1)

Total Operating Expense	129,618	47,122
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Augmentation allowed.

#### GROUNDWATER PROGRAM

Environmental Management Special Fund (IC 13-14-12-1)

Total Operating Expense	128,839	128,839
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Augmentation allowed.

#### UNDERGROUND STORAGE TANK PROGRAM

Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

Total Operating Expense	135,959	135,959
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Augmentation allowed.

#### AIR MANAGEMENT OPERATING

Personal Services	466,703	468,372
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Other Operating Expense	354,057	324,817
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#### WATER MANAGEMENT NONPERMITTING

Personal Services	2,528,259	2,528,259
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Other Operating Expense	708,888	708,888
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#### GREAT LAKES INITIATIVE

Environmental Management Special Fund (IC 13-14-12-1)

Total Operating Expense	57,207	57,207
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Augmentation allowed.

#### OUTREACH OPERATOR TRAINING

General Fund

Total Operating Expense	3,059	3,059
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Environmental Management Special Fund (IC 13-14-12-1)

Total Operating Expense	6,116	6,116
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Augmentation allowed.

#### LEAKING UNDERGROUND STORAGE TANKS

Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

Personal Services	145,472	145,472
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Other Operating Expense	18,201	18,201
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Augmentation allowed.

#### CORE SUPERFUND



Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Total Operating Expense	28,337	20,737
Augmentation allowed.		
AUTO EMISSIONS TESTING PROGRAM		
Personal Services	111,387	111,387
Other Operating Expense	5,628,528	5,826,564

The above appropriations for auto emissions testing are the maximum amounts available for this purpose. If it becomes necessary to conduct additional tests in other locations, the above appropriations shall be prorated among all locations.

HAZARDOUS WASTE SITE - STATE CLEAN-UP		
Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Personal Services	1,407,860	1,407,860
Other Operating Expense	594,171	594,171
Augmentation allowed.		

HAZARDOUS WASTE SITES - NATURAL RESOURCE DAMAGES		
Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Personal Services	181,465	181,465
Other Operating Expense	320,752	320,752
Augmentation allowed.		

SUPERFUND MATCH		
Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Total Operating Expense	150,000	150,000
Augmentation allowed.		

HOUSEHOLD HAZARDOUS WASTE		
Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Other Operating Expense	302,000	302,000
Augmentation allowed.		

ASBESTOS TRUST - OPERATING		
Asbestos Trust Fund (IC 13-17-6-3)		
Personal Services	314,003	314,003
Other Operating Expense	157,097	157,097
Augmentation allowed.		

UNDERGROUND PETROLEUM STORAGE TANK - OPERATING		
Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)		
Personal Services	1,009,924	1,009,924
Other Operating Expense	44,876,323	44,876,323
Augmentation allowed.		

WASTE TIRE MANAGEMENT		
Waste Tire Management Fund (IC 13-20-13-8)		
Total Operating Expense	1,100,000	1,100,000
Augmentation allowed.		

VOLUNTARY COMPLIANCE		
Environmental Management Special Fund (IC 13-14-12-1)		
Personal Services	166,994	166,994
Other Operating Expense	183,752	183,752
Augmentation allowed.		

ENVIRONMENTAL MANAGEMENT SPECIAL FUND - OPERATING		
Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	400,000	400,000

Augmentation allowed.		
SMALL TOWN COMPLIANCE		
Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	60,000	60,000
Augmentation allowed.		
STATE INNOVATION - CLEAN COMMUNITIES CHALLENGE		
Total Operating Expense	21,682	0
PETROLEUM TRUST - OPERATING		
Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
Personal Services	185,637	185,637
Other Operating Expense	377,962	377,962
Augmentation allowed.		
LEAD BASED PAINT ACTIVITIES PROGRAM		
Lead Trust Fund (IC 13-17-14-6)		
Total Operating Expense	21,736	21,736
Augmentation allowed.		

Notwithstanding any other law, with the approval of the Governor and the budget agency, the above appropriations for hazardous waste management permitting, wetlands protection, watershed management, groundwater program, underground storage tanks, air management operating, asbestos trust operating, lead based paint activities program, water management nonpermitting, pollution prevention incentives for states, safe drinking water program, and any other appropriation eligible to be included in a performance partnership grant may be used to fund activities incorporated into a performance partnership grant between the United States Environmental Protection Agency and the department of environmental management.

FOR THE OFFICE OF ENVIRONMENTAL ADJUDICATION		
Personal Services	361,013	361,013
Other Operating Expense	108,158	90,282

## 2007-234-6

### SECTION 6.

#### ECONOMIC DEVELOPMENT

##### A. AGRICULTURE

#### FOR THE DEPARTMENT OF AGRICULTURE

Personal Services	1,880,083	1,880,083
Other Operating Expense	605,366	605,366

#### VALUE ADDED RESEARCH

##### Value Added Research Fund (IC 4-4-3.4-4)

Total Operating Expense	1,311,000
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#### CLEAN WATER INDIANA

##### General Fund

Total Operating Expense	500,000	500,000
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##### Cigarette Tax Fund (IC 6-7-1-29.3)

Total Operating Expense	3,750,000	3,750,000
Augmentation allowed.		

SOIL CONSERVATION DIVISION

Cigarette Tax Fund (IC 6-7-1-29.1)

Total Operating Expense	1,937,652	1,937,652
Augmentation allowed.		

GRAIN BUYERS AND WAREHOUSE LICENSING AGENCY

Grain Buyers and Warehouse Licensing Agency Fund (IC 26-3-7-6.3)

Total Operating Expense	160,000	160,000
Augmentation allowed.		

B. COMMERCE

FOR THE LIEUTENANT GOVERNOR

OFFICE OF RURAL AFFAIRS

Personal Services	1,514,377	1,514,377
Other Operating Expense	410,322	410,322

RURAL ECONOMIC DEVELOPMENT FUND

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	3,603,480	3,603,480
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OFFICE OF TOURISM

Total Operating Expense	4,813,369	4,813,369
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RECYCLING PROMOTION AND ASSISTANCE PROGRAM

Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)

Total Operating Expense	1,395,000	1,395,000
Augmentation allowed.		

STATE ENERGY PROGRAM

Total Operating Expense	263,788	263,788
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FOOD ASSISTANCE PROGRAM

Total Operating Expense	145,506	145,506
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FOR THE INDIANA ECONOMIC DEVELOPMENT CORPORATION

ADMINISTRATIVE AND FINANCIAL SERVICES

From the General Fund

6,611,741	6,611,741
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From the Training 2000 Fund (IC 5-28-7-5)

185,630	185,630
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From the Industrial Development Grant Fund (IC 5-28-25-4)

52,139	52,139
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The amounts specified from the General Fund, Training 2000 Fund, and Industrial Development Grant Fund are for the following purposes:

Total Operating Expense	6,849,510	6,849,510
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INDIANA LIFE SCIENCES

Total Operating Expense	0	20,000,000
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The above appropriations are to provide grants of \$15,000,000 to Indiana University School

of Medicine and grants of \$5,000,000 to Purdue University to support the recruitment and retention of world class scientists specializing in the life sciences.

21ST CENTURY RESEARCH AND TECHNOLOGY FUND		
Total Operating Expense	34,875,000	34,875,000
IN HIGH GROWTH BUSINESS INCENTIVE FUND (IC 5-28)		
Total Operating Expense	3,000,000	3,000,000
INTERNATIONAL TRADE		
Total Operating Expense	1,297,049	1,297,049
ENTERPRISE ZONE PROGRAM		
Indiana Enterprise Zone Fund (IC 5-28-15-6)		
Total Operating Expense	241,860	241,860
Augmentation allowed.		
LOCAL ECONOMIC DEVELOPMENT ORGANIZATION/ REGIONAL ECONOMIC DEVELOPMENT ORGANIZATION (LEDO/REDO) MATCHING GRANT PROGRAM		
Total Operating Expense		1,767,000
TRAINING 2000		
General Fund		
Total Operating Expense		21,529,536
Training 2000 Fund (IC 5-28-7-5)		
Total Operating Expense		4,470,464
Augmentation allowed.		
BUSINESS PROMOTION PROGRAM		
Total Operating Expense		2,112,502
TRADE PROMOTION PROGRAM		
Total Operating Expense	186,000	186,000
ECONOMIC DEVELOPMENT GRANT AND LOAN PROGRAM		
General Fund		
Total Operating Expense		1,116,000
Economic Development Fund (IC 5-28-8-5)		
Total Operating Expense		384,000
Augmentation allowed.		
INDUSTRIAL DEVELOPMENT GRANT PROGRAM		
General Fund		
Total Operating Expense		6,500,000
Industrial Development Grant Fund (IC 5-28-25-4)		
Total Operating Expense		1,555,000
Augmentation allowed.		
TECHNOLOGY DEVELOPMENT GRANT PROGRAM		
Total Operating Expense	2,100,000	2,100,000
STRATEGIC DEVELOPMENT FUND		
Strategic Development Fund		
Total Operating Expense		30,000
FOR THE INDIANA FINANCE AUTHORITY (IFA)		
CAPITAL ACCESS PROGRAM		
Total Operating Expense		1,155,524
ENVIRONMENTAL REMEDIATION REVOLVING LOAN PROGRAM		
Total Operating Expense		2,325,000
PROJECT GUARANTY PROGRAM		

Total Operating Expense		1,674,000
BUSINESS DEVELOPMENT LOAN PROGRAM		
Total Operating Expense		1,860,000

FOR THE HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY  
INDIANA INDIVIDUAL DEVELOPMENT ACCOUNTS

Total Operating Expense	1,600,000	1,800,000
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The housing and community development authority shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.

Family and social services administration, division of family resources shall apply all qualifying expenditures for individual development accounts deposits toward Indiana's maintenance of effort under the federal Temporary Assistance to Needy Families (TANF) program (45 CFR 260 et seq.).

MORTGAGE FORECLOSURE COUNSELING

Total Operating Expense	400,000	400,000
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C. EMPLOYMENT SERVICES

FOR THE DEPARTMENT OF WORKFORCE DEVELOPMENT  
ADMINISTRATION

Total Operating Expense	1,681,603	1,681,603
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SEXUAL ASSAULT VICTIMS ASSISTANCE

Sexual Assault Victims Assistance Account (IC 4-23-25-11(i))

Total Operating Expense	49,000	49,000
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The full amount of the above appropriations shall be distributed to rape crisis centers in Indiana without any deduction of personal services or other operating expenses of any state agency.

WOMEN'S COMMISSION

Personal Services	135,000	135,000
Other Operating Expense	20,627	20,627

NATIVE AMERICAN INDIAN AFFAIRS COMMISSION

Total Operating Expense	100,000	100,000
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COMMISSION ON HISPANIC/LATINO AFFAIRS

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	145,000	145,000
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The above appropriations are in addition to any funding for the commission derived from funds appropriated to the department of workforce development.

D. OTHER ECONOMIC DEVELOPMENT

FOR THE INDIANA HIGHER EDUCATION TELECOMMUNICATIONS SYSTEM  
I-LIGHT 2 - BLACK FIBER

Total Operating Expense		11,000,000
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The Indiana higher education telecommunications system shall administer the I-Light 2-Black Fiber project.

The above appropriation includes \$7,000,000 of funding to the I-Light 2-Black Fiber and \$4,000,000 of funding for I-Span.

**2007-234-7**

**SECTION 7.**

**TRANSPORTATION**

**FOR THE DEPARTMENT OF TRANSPORTATION**

For the conduct and operation of the department of transportation, the following sums are appropriated for the periods designated, from the state general fund, the public mass transportation fund, the industrial rail service fund, the state highway fund, the motor vehicle highway account, the distressed road fund, the state highway road construction and improvement fund, the motor carrier regulation fund, and the crossroads 2000 fund.

**INTERMODAL OPERATING**

From the State Highway Fund (IC 8-23-9-54)

491,232	491,232
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From the Department of Transportation Administration Fund

13,680	13,680
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From the Public Mass Transportation Fund (IC 8-23-3-8)

336,609	336,609
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From the Industrial Rail Service Fund (IC 8-3-1.7-2)

336,609	336,609
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Augmentation allowed from the State Highway Fund, Public Mass Transportation Fund, and Industrial Rail Service Fund.

The amounts specified from the State Highway Fund, the Public Mass Transportation Fund, and the Industrial Rail Service Fund are for the following purposes:

Personal Services	1,096,965	1,096,965
Other Operating Expense	81,165	81,165

**INTERMODAL GRANT PROGRAM**

Department of Transportation Administration Fund

Total Operating Expense	42,000	42,000
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Public Mass Transportation Fund (IC 8-23-3-8)

Total Operating Expense	37,500	37,500
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Augmentation allowed from Public Mass Transportation Fund.

**RAILROAD GRADE CROSSING IMPROVEMENT**

State Highway Fund (IC 8-23-9-54)

Total Operating Expense	500,000	500,000
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**HIGH SPEED RAIL**

Industrial Rail Service Fund

Matching Funds		40,000
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Augmentation allowed.

**PUBLIC MASS TRANSPORTATION**

Public Mass Transportation Fund (IC 8-23-3-8)

Total Operating Expense	34,874,267	35,583,434
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Augmentation allowed.

In addition to the above appropriation from the public mass transportation fund, the increase in the deposits to the public transportation fund resulting from the amendment of IC 6-2.5-10-1 by this act are appropriated for public mass transportation, total operating expenses in the year the additional amount is deposited. Any unencumbered amount remaining from this appropriation at the end of a state fiscal year remains available in subsequent state fiscal years for the purposes for which it is appropriated.

The appropriations are to be used solely for the promotion and development of public transportation. The department of transportation shall allocate funds based on a formula approved by the commissioner of the department of transportation.

The department of transportation may distribute public mass transportation funds to an eligible grantee that provides public transportation in Indiana.

The state funds can be used to match federal funds available under the Federal Transit Act (49 U.S.C. 1601, et seq.), or local funds from a requesting grantee.

Before funds may be disbursed to a grantee, the grantee must submit its request for financial assistance to the department of transportation for approval. Allocations must be approved by the governor and the budget agency after review by the budget committee and shall be made on a reimbursement basis. Only applications for capital and operating assistance may be approved. Only those grantees that have met the reporting requirements under IC 8-23-3 are eligible for assistance under this appropriation.

**HIGHWAY OPERATING**

State Highway Fund (IC 8-23-9-54)

Personal Services	256,004,351	268,000,991
Other Operating Expense	54,953,221	56,348,993

**HIGHWAY BUILDINGS AND GROUNDS**

State Highway Fund (IC 8-23-9-54)

Total Operating Expense		25,000,000
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The above appropriations for highway buildings and grounds may be used for land acquisition, site development, construction and equipping of new highway facilities and for maintenance, repair, and rehabilitation of existing state highway facilities after review by the budget committee.

**HIGHWAY VEHICLE AND ROAD MAINTENANCE EQUIPMENT**

State Highway Fund (IC 8-23-9-54)

Other Operating Expense	20,420,600	20,420,600
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The above appropriations for highway operating and highway vehicle and road maintenance equipment may be used for personal services, equipment, and other operating expense, including the cost of transportation for the governor.

## HIGHWAY MAINTENANCE WORK PROGRAM

State Highway Fund (IC 8-23-9-54)

Other Operating Expense	75,480,000	76,989,600
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The above appropriations for the highway maintenance work program may be used for:

- (1) materials for patching roadways and shoulders;
- (2) repairing and painting bridges;
- (3) installing signs and signals and painting roadways for traffic control;
- (4) mowing, herbicide application, and brush control;
- (5) drainage control;
- (6) maintenance of rest areas, public roads on properties of the department of natural resources, and driveways on the premises of all state facilities;
- (7) materials for snow and ice removal;
- (8) utility costs for roadway lighting; and
- (9) other special maintenance and support activities consistent with the highway maintenance work program.

## HIGHWAY CAPITAL IMPROVEMENTS

State Highway Fund (IC 8-23-9-54)

Right-of-Way Expense	30,000,000	43,200,000
Formal Contracts Expense	64,897,733	46,652,354
Consulting Services Expense	48,000,000	47,200,000
Institutional Road Construction	5,000,000	5,000,000

The above appropriations for the capital improvements program may be used for:

- (1) bridge rehabilitation and replacement;
- (2) road construction, reconstruction, or replacement;
- (3) construction, reconstruction, or replacement of travel lanes, intersections, grade separations, rest parks, and weigh stations;
- (4) relocation and modernization of existing roads;
- (5) resurfacing;
- (6) erosion and slide control;
- (7) construction and improvement of railroad grade crossings, including the use of the appropriations to match federal funds for projects;
- (8) small structure replacements;
- (9) safety and spot improvements; and
- (10) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

The appropriations for highway operating, highway vehicle and road maintenance equipment, highway buildings and grounds, the highway planning and research program, the highway maintenance work program, and highway capital improvements are appropriated from estimated revenues, which include the following:

- (1) Funds distributed to the state highway fund from the motor vehicle highway account under IC 8-14-1-3(4).
- (2) Funds distributed to the state highway fund from the highway, road and street fund under IC 8-14-2-3.
- (3) All fees and miscellaneous revenues deposited in or accruing to the state highway fund under IC 8-23-9-54.
- (4) Any unencumbered funds carried forward in the state highway fund from any previous



fiscal year.

(5) All other funds appropriated or made available to the department of transportation by the general assembly.

If funds from sources set out above for the department of transportation exceed appropriations from those sources to the department, the excess amount is hereby appropriated to be used for formal contracts with approval of the governor and the budget agency.

If there is a change in a statute reducing or increasing revenue for department use, the budget agency shall notify the auditor of state to adjust the above appropriations to reflect the estimated increase or decrease. Upon the request of the department, the budget agency, with the approval of the governor, may allot any increase in appropriations to the department for formal contracts.

If the department of transportation finds that an emergency exists or that an appropriation will be insufficient to cover expenses incurred in the normal operation of the department, the budget agency may, upon request of the department, and with the approval of the governor, transfer funds from revenue sources set out above from one (1) appropriation to the deficient appropriation. No appropriation from the state highway fund may be used to fund any toll road or toll bridge project except as specifically provided for under IC 8-15-2-20.

#### HIGHWAY PLANNING AND RESEARCH PROGRAM

State Highway Fund (IC 8-23-9-54)

Total Operating Expense	3,605,000	3,713,150
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#### STATE HIGHWAY ROAD CONSTRUCTION AND IMPROVEMENT PROGRAM

State Highway Road Construction Improvement Fund (IC 8-14-10-5)

Lease Rental Payments Expense	63,487,461	64,806,454
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Augmentation allowed.

The above appropriations for the state highway road construction and improvement program are appropriated from the state highway road construction and improvement fund provided in IC 8-14-10-5 and may include any unencumbered funds carried forward from any previous fiscal year. The funds shall be first used for payment of rentals and leases relating to projects under IC 8-14.5. If any funds remain, the funds may be used for the following purposes:

- (1) road and bridge construction, reconstruction, or replacement;
- (2) construction, reconstruction, or replacement of travel lanes, intersections, and grade separations;
- (3) relocation and modernization of existing roads; and
- (4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

#### CROSSROADS 2000 PROGRAM

Crossroads 2000 Fund (IC 8-14-10-9)

Lease Rental Payment Expense	35,928,754	36,288,042
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Augmentation allowed.

The above appropriations for the crossroads 2000 program are appropriated from the crossroads 2000 fund provided in IC 8-14-10-9 and may include any unencumbered funds

carried forward from any previous fiscal year. The funds shall be first used for payment of rentals and leases relating to projects under IC 8-14-10-9. If any funds remain, the funds may be used for the following purposes:

- (1) road and bridge construction, reconstruction, or replacement;
- (2) construction, reconstruction, or replacement of travel lanes, intersections, and grade separations;
- (3) relocation and modernization of existing roads; and
- (4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

#### MAJOR MOVES CONSTRUCTION PROGRAM

Major Moves Construction Fund (IC 8-14-14-5)

Formal Contracts Expense	421,000,000	611,000,000
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#### FEDERAL APPORTIONMENT

Right-of-Way Expense	64,000,000	74,700,000
Formal Contracts Expense	425,788,221	492,103,311
Consulting Engineers Expense	149,121,779	108,804,989
Highway Planning and Research	13,390,000	13,791,700
Local Government Revolving Acct.	180,000,000	180,000,000

The department may establish an account to be known as the "local government revolving account". The account is to be used to administer the federal-local highway construction program. All contracts issued and all funds received for federal-local projects under this program shall be entered into this account.

If the federal apportionments for the fiscal years covered by this act exceed the above estimated appropriations for the department or for local governments, the excess federal apportionment is hereby appropriated for use by the department with the approval of the governor and the budget agency.

The department shall bill, in a timely manner, the federal government for all department payments that are eligible for total or partial reimbursement.

The department may let contracts and enter into agreements for construction and preliminary engineering during each year of the 2007-2009 biennium that obligate not more than one-third (1/3) of the amount of state funds estimated by the department to be available for appropriation in the following year for formal contracts and consulting engineers for the capital improvements program.

Under IC 8-23-5-7(a), the department, with the approval of the governor, may construct and maintain roadside parks and highways where highways will connect any state highway now existing, or hereafter constructed, with any state park, state forest preserve, state game preserve, or the grounds of any state institution. There is appropriated to the department of transportation an amount sufficient to carry out the provisions of this paragraph. Under IC 8-23-5-7(d), such appropriations shall be made from the motor vehicle highway account before distribution to local units of government.

#### LOCAL TECHNICAL ASSISTANCE AND RESEARCH

Under IC 8-14-1-3(6), there is appropriated to the department of transportation an

amount sufficient for:

- (1) the program of technical assistance under IC 8-23-2-5(6); and
- (2) the research and highway extension program conducted for local government under IC 8-17-7-4.

The department shall develop an annual program of work for research and extension in cooperation with those units being served, listing the types of research and educational programs to be undertaken. The commissioner of the department of transportation may make a grant under this appropriation to the institution or agency selected to conduct the annual work program. Under IC 8-14-1-3(6), appropriations for the program of technical assistance and for the program of research and extension shall be taken from the local share of the motor vehicle highway account.

Under IC 8-14-1-3(7) there is hereby appropriated such sums as are necessary to maintain a sufficient working balance in accounts established to match federal and local money for highway projects. These funds are appropriated from the following sources in the proportion specified:

- (1) one-half (1/2) from the forty-seven percent (47%) set aside of the motor vehicle highway account under IC 8-14-1-3(7); and
- (2) for counties and for those cities and towns with a population greater than five thousand (5,000), one-half (1/2) from the distressed road fund under IC 8-14-8-2.

## **2007-234-8**

### **SECTION 8.**

#### **FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS**

##### **A. FAMILY AND SOCIAL SERVICES**

##### **FOR THE STATE BUDGET AGENCY**

###### **INDIANA PRESCRIPTION DRUG PROGRAM**

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	7,900,000	7,900,000
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##### **FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION**

###### **CHILDREN'S HEALTH INSURANCE PROGRAM**

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	31,363,603	33,863,603
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###### **FAMILY AND SOCIAL SERVICES ADMINISTRATION**

Total Operating Expense	23,653,777	25,253,777
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###### **OFFICE OF MEDICAID POLICY AND PLANNING - ADMINISTRATION**

Total Operating Expense	7,147,309	7,147,309
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###### **MEDICAID ADMINISTRATION**

Total Operating Expense	37,554,190	37,554,190
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###### **MEDICAID - CURRENT OBLIGATIONS**

General Fund

Total Operating Expense	1,540,350,000	1,617,367,500
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The auditor of state shall transfer thirty million dollars (\$30,000,000) from the Indiana Medicaid reserve account to the state general fund before July 1, 2008. The transferred amount shall be used to fund the above appropriations.

The foregoing appropriations for Medicaid current obligations and for Medicaid administration are for the purpose of enabling the office of Medicaid policy and planning to carry out all services as provided in IC 12-8-6. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the office of Medicaid policy and planning for the respective purposes for which the money was allocated and paid to the state. Subject to the provisions of P.L.46-1995, if the sums herein appropriated for Medicaid current obligations and for Medicaid administration are insufficient to enable the office of Medicaid policy and planning to meet its obligations, then there is appropriated from the general fund such further sums as may be necessary for that purpose, subject to the approval of the governor and the budget agency.

The foregoing appropriations include funds to serve former residents of the Ft. Wayne development center in alternative settings.

#### HOSPITAL CARE FOR THE INDIGENT FUND

Hospital Care for the Indigent Fund (IC 12-16-14-6)

Total Operating Expense	56,900,000	56,900,000
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Augmentation allowed.

Subject to the approval of the governor and the budget agency, the foregoing appropriations for Medicaid - Current Obligations may be augmented or reduced based on revenues accruing to the hospital care for the indigent fund.

#### MEDICAID DISABILITY ELIGIBILITY EXAMS

Total Operating Expense	1,597,500	1,597,500
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#### MENTAL HEALTH ADMINISTRATION

Other Operating Expense	4,164,368	3,945,313
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Two hundred seventy-five thousand dollars (\$275,000) of the above appropriation for the state fiscal year beginning July 1, 2007, and ending June 30, 2008, and two hundred seventy-five thousand dollars (\$275,000) of the above appropriation for the state fiscal year beginning July 1, 2008, and ending June 30, 2009, shall be distributed in the state fiscal year to neighborhood based community service programs.

#### SERIOUSLY EMOTIONALLY DISTURBED

Total Operating Expense	16,469,493	16,469,493
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#### SERIOUSLY MENTALLY ILL

General Fund

Total Operating Expense	93,862,579	93,862,579
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Mental Health Centers Fund (IC 6-7-1)

Total Operating Expense	4,445,000	4,445,000
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Augmentation allowed.

#### COMMUNITY MENTAL HEALTH CENTERS

General Fund

Total Operating Expense	2,500,000	2,500,000
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Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	4,500,000	4,500,000
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The above appropriation from the Tobacco Master Settlement Agreement Fund is in addition to other funds. The above appropriations for comprehensive community mental health services include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid rehabilitation option.

The comprehensive community mental health centers shall submit their proposed annual budgets (including income and operating statements) to the budget agency on or before August 1 of each year. All federal funds shall be applied in augmentation of the foregoing funds rather than in place of any part of the funds. The office of the secretary, with the approval of the budget agency, shall determine an equitable allocation of the appropriation among the mental health centers.

GAMBLERS' ASSISTANCE

Gamblers' Assistance Fund (IC 4-33-12-6)

Total Operating Expense	4,250,000	4,250,000
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SUBSTANCE ABUSE TREATMENT

Total Operating Expense	5,006,000	5,006,000
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The above appropriation for total operating expense for Substance Abuse Treatment includes an amount of \$12,500 each year of the biennium for the employment of a drug and alcohol abuse counselor for the Jefferson County Transitional Services, Inc. The amount provided for these purposes may not be used for any other purpose.

QUALITY ASSURANCE/RESEARCH

Total Operating Expense	838,000	838,000
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PREVENTION

Gamblers' Assistance Fund (IC 4-33-12-6)

Total Operating Expense	2,946,936	2,946,936
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Augmentation allowed.

METHADONE DIVERSION CONTROL OVERSIGHT (MDCO) PROGRAM

MDCO Fund (IC 12-23-18)

Total Operating Expense	470,000	470,000
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Augmentation allowed.

DMHA YOUTH TOBACCO REDUCTION SUPPORT PROGRAM

Gamblers' Assistance Fund (IC 4-33-12-6)

Total Operating Expense	54,000	54,000
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Augmentation allowed.

EVANSVILLE STATE HOSPITAL

General Fund

19,742,381	20,370,852
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Mental Health Fund (IC 12-24-14-4)

1,148,082	1,184,515
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Augmentation allowed.

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	16,109,469	16,641,954
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Other Operating Expense	4,780,994	4,913,413
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LARUE CARTER MEMORIAL HOSPITAL

General Fund		
	19,720,483	20,055,861
Mental Health Fund (IC 12-24-14-4)		
	434,611	442,002
Augmentation allowed.		

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	14,342,859	14,407,858
Other Operating Expense	5,812,235	6,090,005

LOGANSPOUT STATE HOSPITAL

General Fund		
	38,505,491	38,505,491
Mental Health Fund (IC 12-24-14-4)		
	1,772,867	1,772,867
Augmentation allowed.		

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	30,581,477	30,581,477
Other Operating Expense	9,696,881	9,696,881

FARM REVENUE

Total Operating Expense	53,857	53,857
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MADISON STATE HOSPITAL

General Fund		
	24,446,358	25,076,297
Mental Health Fund (IC 12-24-14-4)		
	603,896	617,947
Augmentation allowed.		

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	19,507,771	19,894,862
Other Operating Expense	5,542,483	5,799,382

RICHMOND STATE HOSPITAL

General Fund		
	30,492,519	30,492,519
Mental Health Fund (IC 12-24-14-4)		
	838,545	838,545
Augmentation allowed.		

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	25,013,994	25,013,994
Other Operating Expense	6,317,070	6,317,070

PATIENT PAYROLL

Total Operating Expense	294,624	294,624
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The federal share of revenue accruing to the state mental health institutions under IC 12-15, based on the applicable Federal Medical Assistance Percentage (FMAP), shall be deposited in the mental health fund established by IC 12-24-14-1, and the remainder shall be deposited in the general fund.

In addition to the above appropriations, each institution may qualify for an additional appropriation, or allotment, subject to approval of the governor and the budget agency, from the mental health fund of up to twenty percent (20%), but not to exceed \$50,000 in each fiscal year, of the amount by which actual net collections exceed an amount specified in writing by the division of mental health and addiction before July 1 of each year beginning July 1, 2007.

DIVISION OF FAMILY RESOURCES ADMINISTRATION

Personal Services	7,032,357	7,032,357
Other Operating Expense	1,097,402	1,097,402

COMMISSION ON THE SOCIAL STATUS OF BLACK MALES

Total Operating Expense	139,620	139,620
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CHILD CARE LICENSING FUND

Child Care Fund

Total Operating Expense	100,000	100,000
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Augmentation allowed.

ELECTRONIC BENEFIT TRANSFER PROGRAM

Total Operating Expense	2,568,096	2,568,096
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The foregoing appropriations for the division of family resources Title IV-D of the federal Social Security Act are made under, and not in addition to, IC 31-25-4-28.

STATE WELFARE - COUNTY ADMINISTRATION

Total Operating Expense	71,671,317	68,982,957
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INDIANA CLIENT ELIGIBILITY SYSTEM (ICES)

Total Operating Expense	7,507,050	7,507,050
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IMPACT PROGRAM

Total Operating Expense	2,449,580	2,449,683
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TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF)

Total Operating Expense	30,457,943	30,457,943
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IMPACT - TANF

Total Operating Expense	5,768,527	5,768,672
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CHILD CARE & DEVELOPMENT FUND

Total Operating Expense	35,056,200	35,056,200
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The foregoing appropriations for information systems/technology, education and training,

temporary assistance to needy families (TANF), and child care services are for the purpose of enabling the division of family resources to carry out all services as provided in IC 12-14. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the division of family resources for the respective purposes for which such money was allocated and paid to the state.

**BURIAL EXPENSES**

Total Operating Expense	1,597,500	1,597,500
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**DOMESTIC VIOLENCE PREVENTION AND TREATMENT**

**General Fund**

Total Operating Expense	1,015,462	1,015,462
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**Domestic Violence Prevention and Treatment Fund (IC 12-18-4)**

Total Operating Expense	1,118,596	1,118,596
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Augmentation allowed.

**STEP AHEAD**

Total Operating Expense	1,789,082	1,789,312
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**SCHOOL AGE CHILD CARE PROJECT FUND**

Total Operating Expense	850,000	950,000
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**DIVISION OF AGING ADMINISTRATION**

**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

Personal Services	250,904	250,904
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Other Operating Expense	1,253,140	1,253,140
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The above appropriations for the division of aging administration are for administrative expenses. Any federal fund reimbursements received for such purposes are to be deposited in the general fund.

**ROOM AND BOARD ASSISTANCE (R-CAP)**

Total Operating Expense	11,421,472	11,421,472
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**C.H.O.I.C.E. IN-HOME SERVICES**

Total Operating Expense	48,765,643	48,765,643
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The foregoing appropriations for C.H.O.I.C.E. In-Home Services include intragovernmental transfers to provide the nonfederal share of the Medicaid aged and disabled waiver. The intragovernmental transfers for use in the Medicaid aged and disabled waiver may not exceed in the state fiscal year beginning July 1, 2007, and ending June 30, 2008, \$10,900,000, and the intragovernmental transfers for use in the Medicaid aged and disabled waiver may not exceed in the state fiscal year beginning July 1, 2008, and ending June 30, 2009, \$12,900,000. After July 1, 2007, and before August 1, 2009, the office (as defined in IC 12-7-2-135) shall submit a report to the legislative council in an electronic format under IC 5-14-6 and the governor in each July, October, January, and April specifying the number of persons on the waiting list for C.H.O.I.C.E. In-Home Services at the end of the month preceding the date of the report, a schedule indicating the length of time persons have been on the waiting list, a description of the conditions or problems that contribute to the waiting list, the plan in the next six (6) months after the end of the reporting period to reduce the waiting list, and any other information that is necessary or appropriate to interpret the information provided in the report.



The division of aging shall conduct an annual evaluation of the cost effectiveness of providing home care. Before January of each year, the division shall submit a report to the budget committee, the budget agency, and the legislative council that covers all aspects of the division's evaluation and such other information pertaining thereto as may be requested by the budget committee, the budget agency, or the legislative council, including the following:

- (1) the number and demographic characteristics of the recipients of home care during the preceding fiscal year;
- (2) the total cost and per recipient cost of providing home care services during the preceding fiscal year;
- (3) the number of recipients of home care services who would have been placed in long term care facilities had they not received home care services; and
- (4) the total cost savings during the preceding fiscal year realized by the state due to recipients of home care services (including Medicaid) being diverted from long term care facilities.

The division shall obtain from providers of services data on their costs and expenditures regarding implementation of the program and report the findings to the budget committee, the budget agency, and the legislative council. The report to the legislative council must be in an electronic format under IC 5-14-6.

The foregoing appropriations for C.H.O.I.C.E. In-Home Services do not revert to the state general fund or any other fund at the close of any state fiscal year but remain available for the purposes of C.H.O.I.C.E. In-Home Services in subsequent state fiscal years.

OLDER HOOSIERS ACT		
Total Operating Expense	1,662,109	1,622,109
ADULT PROTECTIVE SERVICES		
Total Operating Expense	2,021,540	2,021,540
ADULT GUARDIANSHIP SERVICES		
Total Operating Expense	491,863	491,892
TITLE V EMPLOYMENT GRANT (OLDER WORKERS)		
Total Operating Expense	228,256	228,256
MEDICAID WAIVER		
Total Operating Expense	316,333	316,390
OBRA/PASSARR		
Total Operating Expense	90,212	90,268
TITLE III ADMINISTRATION GRANT		
Total Operating Expense	329,839	249,839
OMBUDSMAN		
Total Operating Expense	305,226	305,226
DIVISION OF DISABILITY AND REHABILITATIVE SERVICES ADMINISTRATION		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	600,000	600,000
VOCATIONAL REHABILITATION SERVICES		
Personal Services	3,690,009	3,690,009
Other Operating Expense	12,058,917	12,058,917
From the above appropriations, at least three hundred thirty-three thousand dollars (\$333,000) in each state fiscal year shall be used for the Attain Program.		

ENDANGERED ADULT GUARDIANSHIP PROGRAM

Total Operating Expense	400,000	600,000
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The above appropriations are for six pilot programs, including Lake County and St. Joseph County.

AID TO INDEPENDENT LIVING

Total Operating Expense	46,927	46,927
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INDIANAPOLIS RESOURCE CENTER FOR INDEPENDENT LIVING

Total Operating Expense	265,651	265,651
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SOUTHERN INDIANA CENTER FOR INDEPENDENT LIVING

Total Operating Expense	265,651	265,651
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ATTIC, INCORPORATED

Total Operating Expense	265,651	265,651
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LEAGUE FOR THE BLIND AND DISABLED

Total Operating Expense	265,651	265,651
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FUTURE CHOICES, INC.

Total Operating Expense	479,130	479,130
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THE WABASH INDEPENDENT LIVING AND LEARNING CENTER, INC.

Total Operating Expense	479,130	479,130
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INDEPENDENT LIVING CENTER OF EASTERN INDIANA

Total Operating Expense	479,130	479,130
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Notwithstanding any other law, the budget agency, the state board of finance, or the governor may not transfer or use any of the above appropriations to a particular purpose or facility than the above stated purpose or facility. The office (as defined in IC 12-7-2-135) shall act as the paymaster for the above appropriations.

OFFICE OF DEAF AND HEARING IMPAIRED

Personal Services	214,530	214,530
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Other Operating Expense	114,590	114,590
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BLIND VENDING OPERATIONS

Total Operating Expense	129,879	129,905
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DEVELOPMENTAL DISABILITY RESIDENTIAL FACILITIES COUNCIL

Personal Services	2,970	2,970
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Other Operating Expense	13,168	13,168
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OFFICE OF SERVICES FOR THE BLIND AND VISUALLY IMPAIRED

Personal Services	48,973	48,973
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Other Operating Expense	32,663	32,663
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EMPLOYEE TRAINING

Total Operating Expense	6,112	6,112
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BUREAU OF QUALITY IMPROVEMENT SERVICES - BQIS

Total Operating Expense	1,919,027	1,919,027
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DAY SERVICES - DEVELOPMENTALLY DISABLED

Other Operating Expense	12,500,000	12,500,000
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DIAGNOSIS AND EVALUATION

Other Operating Expense	175,000	175,000
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SUPPORTED EMPLOYMENT

Other Operating Expense	4,000,000	4,000,000
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EPILEPSY PROGRAM

Other Operating Expense	460,954	460,954
CAREGIVER SUPPORT		
Other Operating Expense	1,350,000	1,350,000
RESIDENTIAL SERVICES - CASE MANAGEMENT		
General Fund		
Total Operating Expense	6,957,942	6,788,760
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	1,869,887	1,869,887
Augmentation allowed.		
CENTRAL REIMBURSEMENT OFFICE PROGRAM ADMINISTRATION		
Total Operating Expense	6,399,705	6,339,705
RESIDENTIAL SERVICES FOR DEVELOPMENTALLY DISABLED PERSONS		
General Fund		
Total Operating Expense	102,467,677	102,467,677
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	22,300,000	22,300,000

The above appropriations for residential services for developmentally disabled persons include funds to serve former residents of the Silvercrest Children's Development Center in alternative settings.

The above appropriations for client services include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid program for day services provided to residents of group homes and nursing facilities.

In the development of new community residential settings for persons with developmental disabilities, the division of disability and rehabilitative services must give priority to the appropriate placement of such persons who are eligible for Medicaid and currently residing in intermediate care or skilled nursing facilities and, to the extent permitted by law, such persons who reside with aged parents or guardians or families in crisis.

#### FOR THE DEPARTMENT OF CHILD SERVICES

##### DEPARTMENT OF CHILD SERVICES - ADMINISTRATION

Personal Services	84,381,332	87,984,838
Other Operating Expense	19,266,922	18,512,996

The above appropriations for the department of child services - administration include funds to add 400 new caseworker positions over the 2008-2009 biennium.

##### DEPARTMENT OF CHILD SERVICES - STATE ADMINISTRATION

Personal Services	8,437,193	8,437,193
Other Operating Expense	814,900	787,540

##### CHILD WELFARE SERVICES STATE GRANTS

###### General Fund

Total Operating Expense	10,048,884	10,048,884
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###### Excise and Financial Institution Taxes

Total Operating Expense	6,275,000	6,275,000
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###### Augmentation allowed.

##### TITLE IV-D OF THE FEDERAL SOCIAL SECURITY ACT (STATE MATCH)

Total Operating Expense	5,282,841	5,282,841
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The foregoing appropriations for the department of child services Title IV-D of the federal Social Security Act are made under, and not in addition to, IC 31-25-4-28.

YOUTH SERVICE BUREAU		
Total Operating Expense	1,650,000	1,650,000
PROJECT SAFEPLACE		
Total Operating Expense	250,000	250,000
HEALTHY FAMILIES INDIANA		
Total Operating Expense	6,223,086	6,223,086
CHILD WELFARE TRAINING		
Total Operating Expense	1,537,864	1,537,864
SPECIAL NEEDS ADOPTION II		
Personal Services	342,669	342,669
Other Operating Expense	377,009	377,009
ADOPTION ASSISTANCE		
Total Operating Expense	12,159,147	13,883,265

The foregoing appropriations for Title IV-B child welfare and adoption assistance represent the maximum state match for Title IV-B and Title IV-E.

SOCIAL SERVICES BLOCK GRANT (SSBG)		
Total Operating Expense	20,863,880	20,863,880

The funds appropriated above to the social services block grant are allocated in the following manner during the biennium:

Division of Disability and Rehabilitative Services		
	343,481	343,481
Division of Family Resources		
	12,168,423	12,168,423
Division of Aging		
	687,396	687,396
Department of Child Services		
	6,072,726	6,072,726
Department of Health		
	296,504	296,504
Department of Correction		
	1,295,350	1,295,350

NON-RECURRING ADOPTION ASSISTANCE		
Total Operating Expense	625,000	625,000
INDIANA SUPPORT ENFORCEMENT TRACKING (ISETS)		
Total Operating Expense	4,972,285	5,312,285
CHILD PROTECTION AUTOMATION PROJECT (ICWIS)		
Total Operating Expense	5,421,817	5,421,817

## B. PUBLIC HEALTH

FOR THE STATE DEPARTMENT OF HEALTH  
General Fund

23,648,061	32,448,061
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)	
8,800,000	0

The amounts specified from the General Fund and the Tobacco Master Settlement Agreement Fund are for the following purposes:

Personal Services	21,945,887	21,945,887
Other Operating Expense	10,502,174	10,502,174

All receipts to the state department of health from licenses or permit fees shall be deposited in the state general fund. Augmentation allowed in amounts not to exceed revenue from penalties or fees collected by the state department of health.

The above appropriations for the state department of health include funds to establish a medical adverse events reporting system.

#### CANCER REGISTRY

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	648,739	648,739

#### MINORITY HEALTH INITIATIVE

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	3,000,000	3,000,000

The foregoing appropriations shall be allocated to the Indiana Minority Health Coalition to work with the state department on the implementation of IC 16-46-11.

#### SICKLE CELL

Total Operating Expense	250,000	250,000
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#### AID TO COUNTY TUBERCULOSIS HOSPITALS

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	99,879	99,879

These funds shall be used for eligible expenses according to IC 16-21-7-3 for tuberculosis patients for whom there are no other sources of reimbursement, including patient resources, health insurance, medical assistance payments, and hospital care for the indigent.

#### MEDICARE-MEDICAID CERTIFICATION

Total Operating Expense	6,546,029	6,546,029
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Personal services augmentation allowed in amounts not to exceed revenue from health facilities license fees or from health care providers (as defined in IC 16-18-2-163) fee increases or those adopted by the Executive Board of the Indiana State Department of Health pursuant to IC 16-19-3.

#### AIDS EDUCATION

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Personal Services	421,851	422,146
Other Operating Expense	277,953	277,953

#### HIV/AIDS SERVICES

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	2,162,254	2,162,254
TEST FOR DRUG AFFLICTED BABIES		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	62,496	62,496

The above appropriations for drug afflicted babies shall be used for the following purposes:

- (1) All newborn infants shall be tested for the presence of a controlled substance in the infant's meconium if they meet the criteria established by the state department of health. These criteria will, at a minimum, include all newborns, if at birth:
  - (A) the infant's weight is less than two thousand five hundred (2,500) grams;
  - (B) the infant's head is smaller than the third percentile for the infant's gestational age; and
  - (C) there is no medical explanation for the conditions described in clauses (A) and (B).
- (2) If a meconium test determines the presence of a controlled substance in the infant's meconium, the infant may be declared a child in need of services as provided in IC 31-34-1-10 through IC 31-34-1-13. However, the child's mother may not be prosecuted in connection with the results of the test.
- (3) The state department of health shall provide forms on which the results of a meconium test performed on an infant under subdivision (1) must be reported to the state department of health by physicians and hospitals.
- (4) The state department of health shall, at least semi-annually:
  - (A) ascertain the extent of testing under this chapter; and
  - (B) report its findings under subdivision (1) to:
    - (i) all hospitals;
    - (ii) physicians who specialize in obstetrics and gynecology or work with infants and young children; and
    - (iii) any other group interested in child welfare that requests a copy of the report from the state department of health.
- (5) The state department of health shall designate at least one (1) laboratory to perform the meconium test required under subdivisions (1) through (8). The designated laboratories shall perform a meconium test on each infant described in subdivision (1) to detect the presence of a controlled substance.
- (6) Subdivisions (1) through (7) do not prevent other facilities from conducting tests on infants to detect the presence of a controlled substance.
- (7) Each hospital and physician shall:
  - (A) take or cause to be taken a meconium sample from every infant born under the hospital's and physician's care who meets the description under subdivision (1); and
  - (B) transport or cause to be transported each meconium sample described in clause (A) to a laboratory designated under subdivision (5) to test for the presence of a controlled substance as required under subdivisions (1) through (7).
- (8) The state department of health shall establish guidelines to carry out this program, including guidance to physicians, medical schools, and birthing centers as to the following:
  - (A) Proper and timely sample collection and transportation under subdivision (7) of this appropriation.
  - (B) Quality testing procedures at the laboratories designated under subdivision (5) of this appropriation.
  - (C) Uniform reporting procedures.
  - (D) Appropriate diagnosis and management of affected newborns and counseling and support programs for newborns' families.

(9) A medically appropriate discharge of an infant may not be delayed due to the results of the test described in subdivision (1) or due to the pendency of the results of the test described in subdivision (1).

#### STATE CHRONIC DISEASES

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Personal Services	49,014	49,014
Other Operating Expense	1,031,286	1,031,286

At least \$82,560 of the above appropriations shall be for grants to community groups and organizations as provided in IC 16-46-7-8.

#### WOMEN, INFANTS, AND CHILDREN SUPPLEMENT

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	176,700	176,700
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#### MATERNAL AND CHILD HEALTH SUPPLEMENT

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	176,700	176,700
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Notwithstanding IC 6-7-1-30.2, the above appropriations for the women, infants, and children supplement and maternal and child health supplement are the total appropriations provided for this purpose.

#### CANCER EDUCATION AND DIAGNOSIS - BREAST CANCER

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	93,000	93,000
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#### CANCER EDUCATION AND DIAGNOSIS - PROSTATE CANCER

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	93,000	93,000
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#### ADOPTION HISTORY

Adoption History Fund (IC 31-19-18-6)

Total Operating Expense	190,796	190,796
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Augmentation allowed.

#### CHILDREN WITH SPECIAL HEALTH CARE NEEDS

General Fund

Total Operating Expense	1,700,000	1,700,000
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Children with Special Health Care Needs (IC 16-35-4-1)

Total Operating Expense	8,297,591	8,297,591
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Augmentation allowed.

#### NEWBORN SCREENING PROGRAM

Newborn Screening Fund (IC 16-41-17-11)

Personal Services	357,071	357,071
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Other Operating Expense	1,003,887	1,003,887
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Augmentation allowed.

#### RADON GAS TRUST FUND

Radon Gas Trust Fund (IC 16-41-38-8)

Total Operating Expense	12,700	12,700
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Augmentation allowed.

#### BIRTH PROBLEMS REGISTRY

Birth Problems Registry Fund (IC 16-38-4-17)

Personal Services	58,292	58,292
Other Operating Expense	30,012	30,012
Augmentation allowed.		
MOTOR FUEL INSPECTION PROGRAM		
Motor Fuel Inspection Fund (IC 16-44-3-10)		
Total Operating Expense	127,701	127,701
Augmentation allowed.		
PROJECT RESPECT		
Total Operating Expense	554,540	554,540
DONATED DENTAL SERVICES		
Total Operating Expense	42,932	42,932

The above appropriation shall be used by the Indiana foundation for dentistry for the handicapped.

OFFICE OF WOMEN'S HEALTH		
Total Operating Expense	133,463	133,463
SOLDIERS' AND SAILORS' CHILDREN'S HOME		
Personal Services	9,100,938	9,100,938
Other Operating Expense	1,322,500	1,322,500
FARM REVENUE		
Total Operating Expense	22,715	22,715

#### INDIANA VETERANS' HOME

From the General Fund

13,917,781	13,399,178
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From the Comfort-Welfare Fund (IC 10-17-9-7(c))

9,764,000	9,764,000
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Augmentation allowed from the comfort-welfare fund in amounts not to exceed revenue collected for Medicaid and Medicare reimbursement.

The amounts specified from the General Fund and the Comfort-Welfare Fund are for the following purposes:

Personal Services	19,880,493	19,880,493
Other Operating Expense	3,801,288	3,282,685
COMFORT AND WELFARE PROGRAM		
Comfort-Welfare Fund (IC 10-17-9-7(c))		
Total Operating Expense	111,000	111,000
Augmentation allowed.		
WEIGHTS AND MEASURES FUND		
Weights and Measures Fund (IC 16-19-5-4)		
Total Operating Expense	25,300	25,300
Augmentation allowed.		
MINORITY EPIDEMIOLOGY		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	750,000	750,000
COMMUNITY HEALTH CENTERS		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	30,000,000	30,000,000



Of the above appropriation for community health centers, \$30,000,000 may be used for capital projects in fiscal year 2007-2008 and fiscal year 2008-2009.

The office may not waive the prospective payment system for federally qualified health centers.

**PRENATAL SUBSTANCE USE & PREVENTION**

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	150,000	150,000
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**LOCAL HEALTH MAINTENANCE FUND**

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	3,860,000	3,860,000
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Augmentation allowed.

The amount appropriated from the tobacco master settlement agreement fund is in lieu of the appropriation provided for this purpose in IC 6-7-1-30.5 or any other law. Of the above appropriations for the local health maintenance fund, \$60,000 each year shall be used to provide additional funding to adjust funding through the formula in IC 16-46-10 to reflect population increases in various counties. Money appropriated to the local health maintenance fund must be allocated under the following schedule each year to each local board of health whose application for funding is approved by the state department of health:

COUNTY POPULATION	AMOUNT OF GRANT
over 499,999	94,112
100,000 - 499,999	72,672
50,000 - 99,999	48,859
under 50,000	33,139

**LOCAL HEALTH DEPARTMENT ACCOUNT**

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	3,000,000	3,000,000
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The foregoing appropriations for the local health department account are statutory distributions pursuant to IC 4-12-7.

**FOR THE TOBACCO USE PREVENTION AND CESSATION BOARD**

**TOBACCO USE PREVENTION AND CESSATION PROGRAM**

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	15,000,000	15,000,000
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A minimum of 75% of the above appropriations shall be used for grants to local agencies and other entities with programs designed to reduce smoking.

**FOR THE INDIANA SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED**

Personal Services	10,746,019	10,746,019
Other Operating Expense	1,055,964	1,055,964

**FOR THE INDIANA SCHOOL FOR THE DEAF**

Personal Services	16,892,896	16,892,896
Other Operating Expense	1,959,367	1,959,367

C. VETERANS' AFFAIRS

FOR THE INDIANA DEPARTMENT OF VETERANS' AFFAIRS

Personal Services	527,049	527,049
Other Operating Expense	134,632	134,632

DISABLED AMERICAN VETERANS OF WORLD WARS

Total Operating Expense	40,000	40,000
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AMERICAN VETERANS OF WORLD WAR II, KOREA, AND VIETNAM

Total Operating Expense	30,000	30,000
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VETERANS OF FOREIGN WARS

Total Operating Expense	30,000	30,000
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VIETNAM VETERANS OF AMERICA

Total Operating Expense		20,000
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MILITARY FAMILY RELIEF FUND

Total Operating Expense	450,000	450,000
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**2007-234-9**

SECTION 9.

EDUCATION

A. HIGHER EDUCATION

FOR INDIANA UNIVERSITY

BLOOMINGTON CAMPUS

Total Operating Expense	193,813,007	202,202,196
Fee Replacement	24,822,802	26,118,321

FOR INDIANA UNIVERSITY REGIONAL CAMPUSES

EAST

Total Operating Expense	7,993,189	8,322,137
Fee Replacement	2,038,168	2,001,956

KOKOMO

Total Operating Expense	10,357,262	10,817,455
Fee Replacement	2,394,273	2,351,735

NORTHWEST

Total Operating Expense	17,811,296	18,061,296
Fee Replacement	4,316,246	4,239,561

SOUTH BEND

Total Operating Expense	22,699,732	23,236,007
Fee Replacement	5,967,558	7,220,812

SOUTHEAST

Total Operating Expense	19,892,774	20,848,802
Fee Replacement	5,266,033	5,172,474

TOTAL APPROPRIATION - INDIANA UNIVERSITY REGIONAL CAMPUSES

98,736,531	102,272,235
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FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY  
AT INDIANAPOLIS (IUPUI)

HEALTH DIVISIONS

Total Operating Expense	107,493,576	112,236,327
Fee Replacement	4,332,751	5,442,505

FOR INDIANA UNIVERSITY SCHOOL OF MEDICINE ON  
THE CAMPUS OF THE UNIVERSITY OF SOUTHERN INDIANA

Total Operating Expense	1,542,312	1,610,361
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THE CAMPUS OF INDIANA UNIVERSITY-PURDUE UNIVERSITY FORT WAYNE

Total Operating Expense	1,418,830	1,481,430
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THE CAMPUS OF INDIANA UNIVERSITY-NORTHWEST

Total Operating Expense	2,015,642	2,104,574
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THE CAMPUS OF PURDUE UNIVERSITY

Total Operating Expense	1,799,244	1,878,629
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THE CAMPUS OF BALL STATE UNIVERSITY

Total Operating Expense	1,617,814	1,689,194
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THE CAMPUS OF THE UNIVERSITY OF NOTRE DAME

Total Operating Expense	1,500,329	1,566,525
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THE CAMPUS OF INDIANA STATE UNIVERSITY

Total Operating Expense	1,788,716	1,867,636
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The Indiana University School of Medicine - Indianapolis shall submit to the Indiana commission for higher education before May 15 of each year an accountability report containing data on the number of medical school graduates who entered primary care physician residencies in Indiana from the school's most recent graduating class.

FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY AT INDIANAPOLIS (IUPUI)

GENERAL ACADEMIC DIVISIONS

Total Operating Expense	79,980,030	83,311,562
Fee Replacement	20,727,099	20,978,428

TOTAL APPROPRIATIONS - IUPUI

224,216,343	234,167,171
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Transfers of allocations between campuses to correct for errors in allocation among the campuses of Indiana University can be made by the institution with the approval of the commission for higher education and the budget agency. Indiana University shall maintain current operations at all statewide medical education sites.

FOR INDIANA UNIVERSITY

ABILENE NETWORK OPERATIONS CENTER

Total Operating Expense	842,027	867,288
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SPINAL CORD AND HEAD INJURY RESEARCH CENTER

Total Operating Expense	530,168	546,073
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OPTOMETRY BOARD EDUCATION FUND

Total Operating Expense	29,000	1,500
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STATE DEPARTMENT OF TOXICOLOGY

Total Operating Expense	2,463,380	3,719,280
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INSTITUTE FOR THE STUDY OF DEVELOPMENTAL DISABILITIES

Total Operating Expense	2,505,502	2,580,667
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GEOLOGICAL SURVEY		
Total Operating Expense	3,137,382	3,231,504
LOCAL GOVERNMENT ADVISORY COMMISSION		
Total Operating Expense	57,184	58,899
REIMBURSEMENT OF SCHOLARSHIP COSTS		
Total Operating Expense	900,000	0
INDIANA UNIVERSITY SCHOOL OF PUBLIC HEALTH		
Total Operating Expense		100,000

FOR PURDUE UNIVERSITY

WEST LAFAYETTE		
Total Operating Expense	249,929,962	262,033,737
Fee Replacement	23,928,533	26,084,329

FOR PURDUE UNIVERSITY - REGIONAL CAMPUSES

CALUMET		
Total Operating Expense	27,126,733	28,212,704
Fee Replacement	1,549,834	1,614,058
NORTH CENTRAL		
Total Operating Expense	11,135,246	11,969,824
Fee Replacement	0	50,344

TOTAL APPROPRIATION - PURDUE UNIVERSITY REGIONAL CAMPUSES		
	39,811,813	41,846,930

FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY

AT FORT WAYNE (IPFW)		
Total Operating Expense	37,116,951	38,449,705
Fee Replacement	4,223,331	5,352,031

Transfers of allocations between campuses to correct for errors in allocation among the campuses of Purdue University can be made by the institution with the approval of the commission for higher education and the budget agency.

FOR PURDUE UNIVERSITY

ANIMAL DISEASE DIAGNOSTIC LABORATORY SYSTEM		
Total Operating Expense	3,488,781	3,593,444

The above appropriations shall be used to fund the animal disease diagnostic laboratory system (ADDL), which consists of the main ADDL at West Lafayette, the bangs disease testing service at West Lafayette, and the southern branch of ADDL Southern Indiana Purdue Agricultural Center (SIPAC) in Dubois County. The above appropriations are in addition to any user charges that may be established and collected under IC 15-2.1-5-6. Notwithstanding IC 15-2.1-5-5, the trustees of Purdue University may approve reasonable charges for testing for pseudorabies.

STATEWIDE TECHNOLOGY		
Total Operating Expense	5,733,029	6,702,020
COUNTY AGRICULTURAL EXTENSION EDUCATORS		
Total Operating Expense	7,316,550	7,536,047
AGRICULTURAL RESEARCH AND EXTENSION - CROSSROADS		

Total Operating Expense	7,320,956	7,540,584
CENTER FOR PARALYSIS RESEARCH		
Total Operating Expense	528,477	544,331
UNIVERSITY-BASED BUSINESS ASSISTANCE		
Total Operating Expense	1,133,737	1,967,749
FOR INDIANA STATE UNIVERSITY		
Total Operating Expense	74,899,462	76,911,131
Fee Replacement	9,465,483	10,224,769
Nursing Program	250,000	250,000
FOR UNIVERSITY OF SOUTHERN INDIANA		
Total Operating Expense	37,675,499	40,387,429
Fee Replacement	9,488,222	10,996,853
HISTORIC NEW HARMONY		
Total Operating Expense	565,184	576,488
FOR BALL STATE UNIVERSITY		
Total Operating Expense	125,383,857	130,381,244
Fee Replacement	12,408,664	14,064,079
ENTREPRENEURIAL COLLEGE		
Total Operating Expense	1,000,000	1,000,000
ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES		
Total Operating Expense	4,322,246	4,451,913
FOR VINCENNES UNIVERSITY		
Total Operating Expense	37,427,299	38,967,141
Fee Replacement	5,364,551	6,700,593
FOR IVY TECH COMMUNITY COLLEGE		
Total Operating Expense	153,209,449	162,415,053
Fee Replacement	20,738,001	27,967,850
Of the above appropriations for Ivy Tech Community College total operating expense, \$135,000 each year shall be used for the Community Learning Center in Portage.		
VALPO NURSING PARTNERSHIP		
Total Operating Expense	101,622	104,671
FT. WAYNE PUBLIC SAFETY TRAINING CENTER		
Total Operating Expense	1,000,000	1,000,000
FOR THE INDIANA HIGHER EDUCATION TELECOMMUNICATIONS SYSTEM (IHETS)		
Total Operating Expense	4,827,208	4,972,024

The above appropriations do not include funds for the course development grant program.

The sums herein appropriated to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, Ivy Tech Community College, and the Indiana Higher Education Telecommunications System (IHETS) are in addition to all income of said institutions and IHETS, respectively, from all permanent fees and endowments and from all land grants, fees, earnings,

and receipts, including gifts, grants, bequests, and devises, and receipts from any miscellaneous sales from whatever source derived.

All such income and all such fees, earnings, and receipts on hand June 30, 2007, and all such income and fees, earnings, and receipts accruing thereafter are hereby appropriated to the boards of trustees or directors of the aforementioned institutions and IHETS and may be expended for any necessary expenses of the respective institutions and IHETS, including university hospitals, schools of medicine, nurses' training schools, schools of dentistry, and agricultural extension and experimental stations. However, such income, fees, earnings, and receipts may be used for land and structures only if approved by the governor and the budget agency.

The foregoing appropriations to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, Ivy Tech Community College, and IHETS include the employers' share of Social Security payments for university and IHETS employees under the public employees' retirement fund, or institutions covered by the Indiana state teachers' retirement fund. The funds appropriated also include funding for the employers' share of payments to the public employees' retirement fund and to the Indiana state teachers' retirement fund at a rate to be established by the retirement funds for both fiscal years for each institution and for IHETS employees covered by these retirement plans.

The treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College shall, at the end of each three (3) month period, prepare and file with the auditor of state a financial statement that shall show in total all revenues received from any source, together with a consolidated statement of disbursements for the same period. The budget director shall establish the requirements for the form and substance of the reports.

The reports of the treasurer also shall contain in such form and in such detail as the governor and the budget agency may specify, complete information concerning receipts from all sources, together with any contracts, agreements, or arrangements with any federal agency, private foundation, corporation, or other entity from which such receipts accrue.

All such treasurers' reports are matters of public record and shall include without limitation a record of the purposes of any and all gifts and trusts with the sole exception of the names of those donors who request to remain anonymous.

Notwithstanding IC 4-10-11, the auditor of state shall draw warrants to the treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College on the basis of vouchers stating the total amount claimed against each fund or account, or both, but not to exceed the legally made appropriations.

Notwithstanding IC 4-12-1-14, for universities and colleges supported in whole or in part by state funds, grant applications and lists of applications need only be submitted upon request to the budget agency for review and approval or disapproval and, unless disapproved by the budget agency, federal grant funds may be requested and spent without approval by the budget agency. Each institution shall retain the

applications for a reasonable period of time and submit a list of all grant applications, at least monthly, to the commission for higher education for informational purposes.

For all university special appropriations, an itemized list of intended expenditures, in such form as the governor and the budget agency may specify, shall be submitted to support the allotment request. All budget requests for university special appropriations shall be furnished in a like manner and as a part of the operating budgets of the state universities.

The trustees of Indiana University, the trustees of Purdue University, the trustees of Indiana State University, the trustees of University of Southern Indiana, the trustees of Ball State University, the trustees of Vincennes University, the trustees of Ivy Tech Community College, and the directors of IHETS are hereby authorized to accept federal grants, subject to IC 4-12-1.

Fee replacement funds are to be distributed as requested by each institution, on payment due dates, subject to available appropriations.

If an early payment of an amount appropriated to any of the aforementioned institutions or IHETS is made in either state fiscal year of the biennium to eliminate an otherwise authorized payment delay to a later state fiscal year, the amount may be used only for the purposes approved by the budget agency after review by the budget committee.

**FOR THE MEDICAL EDUCATION BOARD**

**FAMILY PRACTICE RESIDENCY FUND**

Total Operating Expense	2,294,787	2,340,683
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Of the foregoing appropriations for the medical education board-family practice residency fund, \$1,000,000 each year shall be used for grants for the purpose of improving family practice residency programs serving medically underserved areas.

**FOR THE COMMISSION FOR HIGHER EDUCATION**

Total Operating Expense	1,508,104	1,538,266
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**STATEWIDE TRANSFER WEBSITE**

Total Operating Expense	1,055,045	671,139
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**INDIANA CAREER AND POSTSECONDARY ADVANCEMENT CENTER**

Total Operating Expense	1	1
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**FOR THE DEPARTMENT OF ADMINISTRATION**

**ANIMAL DISEASE DIAGNOSTIC LABORATORY LEASE RENTAL**

Total Operating Expense	1,045,623	1,045,623
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**ANIMAL DISEASE DIAGNOSTIC LABORATORY (BSL-3) LEASE RENTAL**

Total Operating Expense	0	2,600,000
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**COLUMBUS LEARNING CENTER LEASE PAYMENT**

Total Operating Expense	3,865,950	3,944,050
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**FOR THE STATE BUDGET AGENCY**

**GIGAPOP PROJECT**

Total Operating Expense	749,467	771,951
SOUTH CENTRAL EDUCATION SERVICES		
BEDFORD SERVICE AREA		
Total Operating Expense	395,266	403,172
SOUTHEAST INDIANA EDUCATION SERVICES		
Total Operating Expense	695,226	709,130

The above appropriation for southeast Indiana education services may be expended with the approval of the budget agency after review by the commission for higher education.

DEGREE LINK		
Total Operating Expense	541,465	552,294

The above appropriations shall be used for the delivery of Indiana State University baccalaureate degree programs at Ivy Tech Community College and Vincennes University locations through Degree Link. Distributions shall be made upon the recommendation of the Indiana commission for higher education and with approval by the budget agency after review by the budget committee.

WORKFORCE CENTERS		
Total Operating Expense	862,110	887,973
MIDWEST HIGHER EDUCATION COMMISSION		
Total Operating Expense	90,000	95,000

FOR THE STATE STUDENT ASSISTANCE COMMISSION		
Total Operating Expense	1,306,618	1,332,750
FREEDOM OF CHOICE GRANTS		
Total Operating Expense	46,804,751	47,583,031
HIGHER EDUCATION AWARD PROGRAM		
Total Operating Expense	135,017,565	139,515,254
NURSING SCHOLARSHIP PROGRAM		
Total Operating Expense	410,185	418,389
HOOSIER SCHOLAR PROGRAM		
Total Operating Expense	408,000	416,160

For the higher education awards and freedom of choice grants made for the 2007-2009 biennium, the following guidelines shall be used, notwithstanding current administrative rule or practice:

- (1) Financial Need: For purposes of these awards, financial need shall be limited to actual undergraduate tuition and fees for the prior academic year as established by the commission.
- (2) Maximum Base Award: The maximum award shall not exceed the lesser of:
  - (A) eighty percent (80%) of actual prior academic year undergraduate tuition and fees; or
  - (B) eighty percent (80%) of the sum of the highest prior academic year undergraduate tuition and fees at any public institution of higher education and the lowest appropriation per full-time equivalent (FTE) undergraduate student at any public institution of higher education.
- (3) Minimum Award: No actual award shall be less than \$200.
- (4) Award Size: A student's maximum award shall be reduced one (1) time:



- (A) for dependent students, by the expected contribution from parents based upon information submitted on the financial aid application form; and
- (B) for independent students, by the expected contribution derived from information submitted on the financial aid application form.
- (5) Award Adjustment: The maximum base award may be adjusted by the commission, for any eligible recipient who fulfills college preparation requirements defined by the commission.
- (6) Adjustment:
- (A) If the dollar amounts of eligible awards exceed appropriations and program reserves, all awards may be adjusted by the commission by reducing the maximum award under subdivision (2)(A) or (2)(B).
- (B) If appropriations and program reserves are sufficient and the maximum awards are not at the levels described in subdivision (2)(A) and (2)(B), all awards may be adjusted by the commission by proportionally increasing the awards to the maximum award under that subdivision so that parity between those maxima is maintained but not exceeded.

For the Hoosier scholar program for the 2007-2009 biennium, each award shall not exceed five hundred dollars (\$500) and shall be made available for one (1) year only. Receipt of this award shall not reduce any other award received under any state funded student assistance program.

#### STATUTORY FEE REMISSION

Total Operating Expense	20,304,707	20,557,932
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#### PART-TIME STUDENT GRANT DISTRIBUTION

Total Operating Expense	5,355,000	5,462,100
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Priority for awards made from the above appropriation shall be given first to eligible students meeting TANF income eligibility guidelines as determined by the family and social services administration and second to eligible students who received awards from the part-time grant fund during the school year associated with the biennial budget year. Funds remaining shall be distributed according to procedures established by the commission. The maximum grant that an applicant may receive for a particular academic term shall be established by the commission but shall in no case be greater than a grant for which an applicant would be eligible under IC 20-12-21 if the applicant were a full-time student. The commission shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.

The family and social services administration, division of family resources, shall apply all qualifying expenditures for the part-time grant program toward Indiana's maintenance of effort under the federal Temporary Assistance to Needy Families (TANF) program (45 CFR 260 et seq.).

#### CONTRACT FOR INSTRUCTIONAL OPPORTUNITIES IN SOUTHEASTERN INDIANA

Total Operating Expense	615,475	627,785
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#### MINORITY TEACHER SCHOLARSHIP FUND

Total Operating Expense	407,763	415,919
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#### COLLEGE WORK STUDY PROGRAM

Total Operating Expense	821,293	837,719
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21ST CENTURY ADMINISTRATION

Total Operating Expense	2,061,420	2,102,648
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21ST CENTURY SCHOLAR AWARDS

Total Operating Expense	24,810,428	26,519,274
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Augmentation for 21st Century Scholar Awards allowed from the general fund.

The commission shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR 265.

Family and social services administration, division of family resources, shall apply all qualifying expenditures for the 21st century scholars program toward Indiana's maintenance of effort under the federal Temporary Assistance to Needy Families (TANF) program (45 CFR 260 et seq.)

NATIONAL GUARD SCHOLARSHIP

Total Operating Expense	3,332,819	3,366,477
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The above appropriations for national guard scholarship and any program reserves existing on June 30, 2007, shall be the total allowable state expenditure for the program in the 2007-2009 biennium. If the dollar amounts of eligible awards exceed appropriations and program reserves, the state student assistance commission shall develop a plan to ensure that the total dollar amount does not exceed the above appropriations and any program reserves.

INSURANCE EDUCATION SCHOLARSHIPS

Insurance Education Scholarship Fund (IC 20-12-22.3)

Total Operating Expense	100,000	100,000
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Augmentation allowed.

B. ELEMENTARY AND SECONDARY EDUCATION

FOR THE DEPARTMENT OF EDUCATION

STATE BOARD OF EDUCATION

Total Operating Expense	3,152,112	3,152,112
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The foregoing appropriations for the Indiana state board of education are for the education roundtable established by IC 20-19-4; for the academic standards project to distribute copies of the academic standards and provide teachers with curriculum frameworks; for special evaluation and research projects including national and international assessments; and for state board and roundtable administrative expenses.

SUPERINTENDENT'S OFFICE

Personal Services	1,201,402	1,201,402
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Other Operating Expense	1,473,322	1,473,322
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PUBLIC TELEVISION DISTRIBUTION

Total Operating Expense	3,500,000	3,500,000
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These appropriations are for grants for public television. The Indiana Public Broadcasting Stations, Inc. shall submit a distribution plan for the eight Indiana public education

television stations that shall be approved by the budget agency after review by the budget committee. The above appropriation includes the costs of transmission for the "GED-on-TV" program. Of the above appropriations, \$500,000 each year shall be distributed equally among the eight radio stations.

#### RESEARCH AND DEVELOPMENT PROGRAMS

Personal Services	86,958	86,959
Other Operating Expense	300,390	300,390

Of the foregoing appropriations for Research and Development Programs, up to \$140,000 each year is dedicated for the Center for Evaluation and Education Policy.

#### RILEY HOSPITAL

Total Operating Expense	27,900	27,900
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#### BEST BUDDIES

Total Operating Expense	250,000	250,000
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#### ADMINISTRATION AND FINANCIAL MANAGEMENT

Personal Services	2,143,064	2,144,538
Other Operating Expense	420,270	418,834

#### MOTORCYCLE OPERATOR SAFETY EDUCATION FUND

##### Safety Education Fund (IC 20-30-13-11)

Personal Services	132,303	132,397
Other Operating Expense	892,177	892,087

The foregoing appropriations for the motorcycle operator safety education fund are from the motorcycle operator safety education fund created by IC 20-30-13-11.

#### SCHOOL TRAFFIC SAFETY

##### Motor Vehicle Highway Account (IC 8-14-1)

Personal Services	242,813	242,989
Other Operating Expense	30,405	30,236

Augmentation allowed.

#### EDUCATION LICENSE PLATE FEES

##### Education License Plate Fees Fund (IC 9-18-31)

Total Operating Expense	141,200	141,200
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#### CENTER FOR SCHOOL ASSESSMENT

Personal Services	310,777	311,004
Other Operating Expense	706,025	705,800

#### ACCREDITATION SYSTEM

Personal Services	471,390	471,732
Other Operating Expense	489,547	489,210

#### SPECIAL EDUCATION (S-5)

Total Operating Expense	24,750,000	24,750,000
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The foregoing appropriations for special education are made under IC 20-35-6-2.

#### CENTER FOR COMMUNITY RELATIONS AND SPECIAL POPULATIONS

Personal Services	234,467	234,580
Other Operating Expense	78,988	78,879

#### SPECIAL EDUCATION EXCISE

##### Alcoholic Beverage Excise Tax Funds (IC 20-35-4-4)

Personal Services	344,177	344,351
Augmentation allowed.		
GED-ON-TV PROGRAM		
Other Operating Expense	229,500	229,500

The foregoing appropriation is for grants to provide GED-ON-TV programming. The GED-ON-TV Program shall submit for review by the budget committee an annual report on utilization of this appropriation.

CAREER AND TECHNICAL EDUCATION		
Personal Services	1,318,379	1,319,338
Other Operating Expense	40,532	39,599
ADVANCED PLACEMENT PROGRAM		
Other Operating Expense	953,284	953,284

The above appropriations for the Advanced Placement program are to provide funding for students of accredited public and nonpublic schools.

PSAT PROGRAM		
Other Operating Expense	717,449	717,449

The above appropriations for the PSAT program are to provide funding for students of accredited public and nonpublic schools.

CENTER FOR SCHOOL IMPROVEMENT AND PERFORMANCE		
Personal Services	1,701,420	1,701,447
Other Operating Expense	978,089	978,089
PRINCIPAL LEADERSHIP ACADEMY		
Personal Services	320,628	320,632
Other Operating Expense	142,204	142,204
EDUCATION SERVICE CENTERS		
Total Operating Expense	2,321,287	2,321,287

No appropriation made for an education service center shall be distributed to the administering school corporation of the center unless each participating school corporation of the center contracts to pay to the center at least three dollars (\$3) per student for fiscal year 2007-2008 based on the school corporation's ADM count as reported for school aid distribution in the fall of 2006, and at least three dollars (\$3) per student for fiscal year 2008-2009, based on the school corporation's ADM count as reported for school aid distribution beginning in the fall of 2007. Before notification of education service centers of the formula and components of the formula for distributing funds for education service centers, review and approval of the formula and components must be made by the budget agency.

TRANSFER TUITION (STATE EMPLOYEES' CHILDREN AND ELIGIBLE CHILDREN IN MENTAL HEALTH FACILITIES)		
Total Operating Expense	50,000	50,000

The foregoing appropriations for transfer tuition (state employees' children and eligible children in mental health facilities) are made under IC 20-26-11-10 and IC 20-26-11-8.

#### TEACHERS' SOCIAL SECURITY AND RETIREMENT DISTRIBUTION

Total Operating Expense	2,403,792	2,403,792
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The foregoing appropriations shall be distributed by the department of education on a monthly basis and in approximately equal payments to special education cooperatives, area career and technical education schools, and other governmental entities that received state teachers' Social Security distributions for certified education personnel (excluding the certified education personnel funded through federal grants) during the fiscal year beginning July 1, 1992, and ending June 30, 1993, and for the units under the Indiana state teacher's retirement fund, the amount they received during the 2002-2003 state fiscal year for teachers' retirement. If the total amount to be distributed is greater than the total appropriation, the department of education shall reduce each entity's distribution proportionately.

#### DISTRIBUTION FOR TUITION SUPPORT

##### General Fund

Total Operating Expense	2,167,287,741	2,244,062,741
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##### Property Tax Replacement Fund (IC 6-1.1-21)

Total Operating Expense	1,719,412,259	1,796,187,259
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The foregoing appropriations for distribution for tuition support are to be distributed for tuition support, special education programs, career and technical education programs, honors grants, and the primetime program in accordance with a statute enacted for this purpose during the 2007 session of the general assembly.

If the above appropriations for distribution for tuition support are more than are required under this SECTION, any excess shall revert to the general fund.

The above appropriations for tuition support shall be made each calendar year under a schedule set by the budget agency and approved by the governor. However, the schedule shall provide for at least twelve (12) payments, that one (1) payment shall be made at least every forty (40) days, and the aggregate of the payments in each calendar year shall equal the amount required under the statute enacted for the purpose referred to above.

#### ADDITIONAL TUITION SUPPORT DISTRIBUTION

Total Operating Expense	2,000,000	2,000,000
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The definitions in IC 20-43-1 apply to the above appropriations. IC 20-43-2-2 does not apply to the above appropriations.

The department shall make an additional distribution not later than January 2008 to each school corporation that has a current ADM for 2008 that is at least one hundred fifty (150) students more than the school corporation's current ADM for 2007. The amount of the distribution is equal to the amount of the above appropriation available for distribution in the calendar year, as determined by the budget agency, multiplied by a fraction. The numerator of the fraction is the number of students by which current ADM increased for 2008 for the school corporation. The denominator of the fraction is the sum of the number of students by which current ADM increased for 2008 for all school corporations that had an increase of at least one hundred fifty (150)

students.

The department shall make an additional distribution to each school corporation before January 2009 that has a current ADM for 2009 that is at least one hundred fifty (150) students more than the school corporation's current ADM for 2008. The amount of the distribution is equal to the amount of the above appropriation available for distribution in the calendar year multiplied by a fraction. The numerator of the fraction is the number of students by which current ADM increased for 2009 for the school corporation. The denominator of the fraction is the sum of the number of students by which current ADM increased for 2009 for all school corporations that had an increase of at least one hundred fifty (150) students.

"Virtual charter school" means any entity that provides for the delivery of more than fifty percent (50%) of instruction to students through virtual distance learning, online technologies, or computer based instruction. A virtual charter school is not entitled to any funding from the state of Indiana during the biennium and is not entitled to a distribution of property taxes. This paragraph expires June 30, 2009.

#### DISTRIBUTION FOR SUMMER SCHOOL

Other Operating Expense	18,360,000	18,360,000
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It is the intent of the 2007 general assembly that the above appropriations for summer school shall be the total allowable state expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

#### EARLY INTERVENTION PROGRAM AND READING DIAGNOSTIC ASSESSMENT

Total Operating Expense	4,720,000	4,720,000
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The above appropriations for the early intervention program are for grants to local school corporations for grant proposals for early intervention programs, including reading recovery and the Waterford method.

The foregoing appropriations shall be used by the department for the reading diagnostic assessment and subsequent remedial programs or activities. The reading diagnostic assessment program, as approved by the board, is to be made available on a voluntary basis to all Indiana public and nonpublic school first and second grade students upon the approval of the governing body of school corporations. The board shall determine how the funds will be distributed for the assessment and related remediation. The department or its representative shall provide progress reports on the assessment as requested by the board and the education roundtable.

#### ADULT EDUCATION DISTRIBUTION

Total Operating Expense	14,000,000	14,000,000
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It is the intent of the 2007 general assembly that the above appropriations for adult education shall be the total allowable state expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for a state fiscal year, the department of education shall reduce the distributions proportionately.

NATIONAL SCHOOL LUNCH PROGRAM

Total Operating Expense	5,400,000	5,400,000
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MARION COUNTY DESEGREGATION COURT ORDER

Total Operating Expense	18,200,000	18,200,000
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The foregoing appropriations for court ordered desegregation costs are made pursuant to order No. IP 68-C-225-S of the United States District Court for the Southern District of Indiana. If the sums herein appropriated are insufficient to enable the state to meet its obligations, then there are hereby appropriated from the state general fund such further sums as may be necessary for such purpose.

TEXTBOOK REIMBURSEMENT

Total Operating Expense	39,000,000	39,000,000
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Before a school corporation or an accredited nonpublic school may receive a distribution under the textbook reimbursement program, the school corporation or accredited nonpublic school shall provide to the department the requirements established in IC 20-33-5-2. The department shall provide to the family and social services administration (FSSA) all data required for FSSA to meet the data collection reporting requirement in 45 CFR 265. Family and social services administration, division of family resources, shall apply all qualifying expenditures for the textbook reimbursement program toward Indiana's maintenance of effort under the federal Temporary Assistance to Needy Families (TANF) program (45 CFR 260 et seq.).

The foregoing appropriations for textbook reimbursement include the appropriation of the common school fund interest balance. The remainder of the above appropriations are provided from the state general fund.

FULL-DAY KINDERGARTEN

Total Operating Expense	33,500,000	58,500,000
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The above appropriations for full day kindergarten are available to school corporations and charter schools that apply to the department of education for funding of full day kindergarten. The amount available to a school corporation or charter school equals the amount appropriated divided by the total full day kindergarten enrollment of all participating school corporations and charter schools (as defined in IC 21-3-1.6-1.1) for the current year, and then multiplied by the school corporation's or charter school's full day kindergarten enrollment (as defined in IC 21-3-1.6-1.1) for the current year. However, a school corporation or charter school may not receive more than \$2,500 dollars per student for full day kindergarten. A school corporation or charter school that is awarded a grant must provide to the department of education a financial report stating how the funds were spent. Any unspent funds at the end of the biennium must be returned to the state by the school corporation or charter school.

To provide full day kindergarten programs, a school corporation or charter school that determines there is inadequate space to offer a program in the school corporation's or charter school's existing facilities may offer the program in any suitable space located within the geographic boundaries of the school corporation or, in the case of a charter school, a location that is in the general vicinity of the charter school's existing facilities. A full day kindergarten program offered by a school corporation

or charter school must meet the academic standards and other requirements of IC 20.

A school corporation or charter school that receives a grant must meet the academic standards and other requirements of IC 20.

In awarding grants from the above appropriations, the department of education may not refuse to make a grant to a school corporation or reduce the award that would otherwise be made to the school corporation because the school corporation used federal grants or loans, including Title I grants, to fund part or all of the school corporation's full day kindergarten program in a school year before the school year in which the grant will be given or because the school corporation intends to use federal grants or loans, including Title I grants, to fund part of the school corporation's full day kindergarten program in a school year in which the grant will be given.

The state board and department shall provide support to school corporations and charter schools in the development and implementation of child centered and learning focused programs using the following methods:

(1) Targeting professional development funds to provide teachers in kindergarten through grade 3 education in:

- (A) scientifically proven methods of teaching reading;
- (B) the use of data to guide instruction; and
- (C) the use of age appropriate literacy and mathematics assessments.

(2) Making uniform, predictively valid, observational assessments that:

- (A) provide frequent information concerning the student's progress to the student's teacher; and
- (B) measure the student's progress in literacy;

available to teachers in kindergarten through grade 3. Teachers shall monitor students participating in a program, and the school corporation or charter school shall report the results of the assessments to the parents of a child completing an assessment and to the department.

(3) Undertaking a longitudinal study of students in programs in Indiana to determine the achievement levels of the students in kindergarten and later grades.

The above appropriations for full day kindergarten include \$25,000 dollars in fiscal year 2008 for the state board and department to contract with national experts on academic standards to conduct a review of current kindergarten standards to ensure the standards:

- (1) are adequate for full day kindergarten programs;
- (2) align with state standards through grade 3; and
- (3) ensure success in subsequent grades.

The school corporation or charter school may use any funds otherwise allowable under state and federal law, including the school corporation's general fund, any funds available to the charter school, or voluntary parent fees, to provide full day kindergarten programs.

#### TESTING AND REMEDIATION

Other Operating Expense	41,000,000	41,000,000
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Prior to notification of local school corporations of the formula and components of the formula for distributing funds for remediation, review and approval of the formula and components shall be made by the budget agency.



The above appropriation for testing and remediation shall be used by school corporations to provide remediation programs for students who attend public and nonpublic schools. For purposes of tuition support, these students are not to be counted in the average daily membership.

#### GRADUATION EXAM REMEDIATION

Other Operating Expense	4,958,910	4,958,910
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Prior to notification of local school corporations of the formula and components of the formula for distributing funds for graduation exam remediation, review and approval of the formula and components shall be made by the budget agency.

#### SPECIAL EDUCATION PRESCHOOL

Total Operating Expense	32,400,000	32,400,000
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The above appropriations shall be distributed to guarantee a minimum of \$2,750 per child enrolled in special education preschool programs from state and local sources in school corporations that levy the maximum special education tax rate for this purpose. It is the intent of the 2007 general assembly that the above appropriations for special education preschool shall be the total allowable expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

#### NON-ENGLISH SPEAKING PROGRAM

Other Operating Expense	6,929,246	6,965,055
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The above appropriations for the non-English speaking program are for pupils who have a primary language other than English and limited English proficiency, as determined by using a standard proficiency examination that has been approved by the department of education.

The grant amount is two hundred dollars (\$200) per pupil. It is the intent of the 2007 general assembly that the above appropriations for the non-English speaking program shall be the total allowable state expenditure for the program. If the expected distributions are anticipated to exceed the total appropriations for the state fiscal year, the department of education shall reduce each school corporation's distribution proportionately.

#### GIFTED AND TALENTED EDUCATION PROGRAM

Personal Services	211,199	211,348
Other Operating Expense	12,788,801	12,788,652

#### DISTRIBUTION FOR ADULT VOCATIONAL EDUCATION

Total Operating Expense	250,000	250,000
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The distribution for adult career and technical education programs shall be made in accordance with the state plan for vocational education.

#### PRIMETIME

Personal Services	172,564	172,566
Other Operating Expense	34,467	34,467
<b>DRUG FREE SCHOOLS</b>		
Personal Services	52,360	52,361
Other Operating Expense	20,093	20,093
<b>PROFESSIONAL DEVELOPMENT DISTRIBUTION</b>		
Other Operating Expense	13,812,500	13,812,500

The foregoing appropriations for professional development distributions include schools defined under IC 20-31-2-8.

<b>ALTERNATIVE SCHOOLS</b>		
Total Operating Expense	6,380,059	6,380,319
<b>EDUCATIONAL TECHNOLOGY PROGRAM AND FUND (INCLUDING 4R'S TECHNOLOGY GRANT PROGRAM)</b>		
Total Operating Expense	2,109,031	2,109,036

Of the foregoing appropriations, \$825,000 shall be allocated to the buddy system each state fiscal year during the biennium. The remaining amounts shall be allocated for technology programs and resources for kindergarten through twelfth grade, and the operation of the office of the special assistant to the superintendent of public instruction for technology.

<b>TECHNOLOGY PLAN GRANT PROGRAM (IC 20-20-13)</b>		
Total Operating Expense		5,000,000

Notwithstanding IC 20-20-13-17, the department of education may adjust the grant amount to reflect available funding.

<b>PROFESSIONAL STANDARDS DIVISION</b>		
General Fund		
Personal Services	1,053,602	1,054,199
Other Operating Expense	262,900	1,762,303
Professional Standards Board Licensing Fund		
Total Operating Expense	1,500,000	1,500,000
Augmentation allowed.		

The above appropriations for the Professional Standards Division do not include funds to pay stipends for mentor teachers.

<b>SCHOOL CORPORATION CONSOLIDATION STUDIES</b>		
Total Operating Expense	100,000	100,000

A school corporation which desires to study the feasibility of consolidating or merging services with another corporation may apply to the department for a grant not exceeding \$25,000 to offset the costs of the study.

<b>SCHOOL BUSINESS OFFICIALS ACADEMY</b>		
Total Operating Expense	150,000	150,000

The department shall make the foregoing appropriations available to the Indiana Association of School Business Officials to assist in the creation of an academy designed to strengthen the management and leadership skills of practicing Indiana school business officials.

FOR THE INDIANA STATE TEACHERS' RETIREMENT FUND  
POSTRETIREMENT PENSION INCREASES

Other Operating Expense	52,784,909	55,952,004
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The appropriations for postretirement pension increases are made for those benefits and adjustments provided in IC 5-10.4 and IC 5-10.2-5.

TEACHERS' RETIREMENT FUND DISTRIBUTION

Other Operating Expense	568,372,000	602,474,320
Augmentation allowed.		

If the amount actually required under the pre-1996 account of the teachers' retirement fund for actual benefits for the Post Retirement Pension Increases that are funded on a "pay as you go" basis plus the base benefits under the pre-1996 account of the teachers' retirement fund is:

- (1) greater than the above appropriations for a year, after notice to the governor and the budget agency of the deficiency, the above appropriation for the year shall be augmented from the general fund. Any augmentation shall be included in the required pension stabilization calculation under IC 5-10.4; or
- (2) less than the above appropriations for a year, the excess shall be retained in the general fund. The portion of the benefit funded by the annuity account and the actuarially funded Post Retirement Pension Increases shall not be part of this calculation.

C. OTHER EDUCATION

FOR THE EDUCATION EMPLOYMENT RELATIONS BOARD

Personal Services	617,646	617,646
Other Operating Expense	68,940	68,940

PUBLIC EMPLOYEE RELATIONS BOARD

Total Operating Expense	32,550	32,550
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FOR THE STATE LIBRARY

Personal Services	3,058,971	3,058,971
Other Operating Expense	727,967	697,917

STATEWIDE LIBRARY SERVICES

Total Operating Expense	1,996,228	1,996,228
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The foregoing appropriations for statewide library services will be used to provide services to libraries across the state. These services may include, but will not be limited to, programs including Wheels, I\*Ask, and professional development. The state library shall identify statewide library services that are to be provided by a vendor. Those services identified by the library shall be procured through a competitive process using one or more requests for proposals covering the service.

LIBRARY SERVICES FOR THE BLIND - ELECTRONIC NEWSLINES

Other Operating Expense	40,000	40,000	
ACADEMY OF SCIENCE			
Total Operating Expense	8,811	8,811	
FOR THE ARTS COMMISSION			
Personal Services	406,217	406,217	
Other Operating Expense	3,596,742	3,596,742	
The foregoing appropriation to the arts commission includes \$625,000 each year to provide grants under IC 4-23-2.5 to:			
(1) the arts organizations that have most recently qualified for general operating support as major arts organizations as determined by the arts commission;			
and			
(2) the significant regional organizations that have most recently qualified for general operating support as mid-major arts organizations, as determined by the arts commission and its regional re-granting partners.			
FOR THE HISTORICAL BUREAU			
Personal Services	392,583	392,583	
Other Operating Expense	6,875	6,875	
HISTORICAL MARKER PROGRAM			
Total Operating Expense			31,898
FOR THE COMMISSION ON PROPRIETARY EDUCATION			
Personal Services	447,806	448,129	
Other Operating Expense	6,865	6,865	

**2007-234-10**

SECTION 10.

DISTRIBUTIONS

FOR THE PROPERTY TAX REPLACEMENT FUND BOARD

Property Tax Replacement Fund (IC 6-1.1-21)

Total Operating Expense	2,142,477,622	2,133,991,675
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Notwithstanding IC 6-1.1-21, the foregoing appropriations are the maximum amount that may be distributed.

Not more than \$2,028,509,197 shall be distributed as property tax replacement credits and homestead credits for calendar year 2008 from the above appropriations. The distribution from the above appropriations for property tax replacement credits and homestead credits for 2009 may not, when added to any amount distributed after June 30, 2009, exceed \$2,028,509,197.

If the amount determined under IC 6-1.1-21 exceeds the amount to be distributed in the calendar year from the above appropriations, the board shall reduce the property tax replacement credit percentages proportionately so that the distributions equal the amount to be distributed.

Upon the recommendation of the budget agency, the property tax replacement fund board established by IC 6-1.1-21-10 may increase or decrease the distribution percentage specified in IC 6-1.1-21-10 for May in order to distribute the appropriation. If the property tax replacement fund board increases or decreases the May distribution percentage for property tax replacement credits and homestead credits, it must increase or reduce the percentage used in determining the next distribution such that the sum of the calendar year percentages equals one hundred percent (100.00%).

#### PROPERTY TAX REFUNDS

Property Tax Reduction Trust Fund (IC 4-35-8-2)

Total Operating Expense	300,000,000	0
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The above appropriation is for state paid refunds of payments of property tax liability (as defined in IC 6-1.1-21-5) imposed on property eligible for a homestead credit under IC 6-1.1-20.9 in 2007.

If the amount distributed to a county from the above appropriation exceeds the amount needed to pay the property tax refunds payable from the above appropriation, the county treasurer shall transfer the excess to the auditor of state for deposit in the property tax reduction trust fund. The transfer shall be made as part of the December settlement under IC 6-1.1-21. The amount returned to the auditor of state shall be used to increase the following appropriation for additional homestead credits in calendar year 2008.

#### ADDITIONAL HOMESTEAD CREDIT

Property Tax Reduction Trust Fund (IC 4-35-8-2)

Total Operating Expense	112,000,000	138,000,000
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The above appropriations are for additional homestead credits for property taxes paid in 2008.

The above appropriations are to reimburse local taxing units for the revenue lost from the granting of an additional credit against property tax liability (as defined in IC 6-1.1-21-5) imposed on property eligible for a homestead credit under IC 6-1.1-20.9 for 2008.

### **2007-234-11**

#### SECTION 11.

The following allocations of federal funds are available for vocational and technical education under the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301, et seq. for Vocational and Technical Education) (20 U.S.C. 2371 for Tech Prep Education). These funds shall be received by the department of workforce development, commission on vocational and technical education, and shall be allocated by the budget agency after consultation with the commission on vocational and technical education, the department of education, the commission for higher education, and the department of correction. Funds shall be allocated to these agencies in accordance with the allocations specified below:

#### STATE PROGRAMS AND LEADERSHIP

	2,655,188	2,655,188
SECONDARY VOCATIONAL PROGRAMS		
	14,878,845	14,878,845
POSTSECONDARY VOCATIONAL PROGRAMS		
	8,522,925	8,522,925
TECHNOLOGY - PREPARATION EDUCATION		
	2,465,494	2,465,494

#### **2007-234-12**

##### SECTION 12.

In accordance with IC 22-4.1-13, the budget agency, with the advice of the commission on vocational and technical education and the budget committee, may augment or reduce an allocation of federal funds made under SECTION 11 of this act.

#### **2007-234-13**

##### SECTION 13.

Utility bills for the month of June, travel claims covering the period June 16 to June 30, payroll for the period of the last half of June, any interdepartmental bills for supplies or services for the month of June, and any other miscellaneous expenses incurred during the period June 16 to June 30 shall be charged to the appropriation for the succeeding year. No interdepartmental bill shall be recorded as a refund of expenditure to any current year allotment account for supplies or services rendered or delivered at any time during the preceding June period.

#### **2007-234-14**

##### SECTION 14.

The budget agency, under IC 4-10-11, IC 4-12-1-13, and IC 4-13-1, in cooperation with the Indiana department of administration, may fix the amount of reimbursement for traveling expenses (other than transportation) for travel within the limits of Indiana. This amount may not exceed actual lodging and miscellaneous expenses incurred. A person in travel status, as defined by the state travel policies and procedures established by the Indiana department of administration and the budget agency, is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service.

All appropriations provided by this act or any other statute, for traveling and hotel expenses for any department, officer, agent, employee, person, trustee, or commissioner, are to be used only for travel within the state of Indiana, unless those expenses are incurred in traveling outside the state of Indiana on trips that previously have received approval as required by the state travel policies and procedures established by the Indiana department of administration and the budget agency. With the required approval, a reimbursement for out-of-state travel expenses may be granted in an amount not to exceed actual lodging and miscellaneous expenses incurred. A person in travel status is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue

Service for properly approved travel within the continental United States and a minimum of \$50 during any twenty-four (24) hour period for properly approved travel outside the continental United States. However, while traveling in Japan, the minimum meal allowance shall not be less than \$90 for any twenty-four (24) hour period. While traveling in Korea and Taiwan, the minimum meal allowance shall not be less than \$85 for any twenty-four (24) hour period. While traveling in Singapore, China, Great Britain, Germany, the Netherlands, and France, the minimum meal allowance shall not be less than \$65 for any twenty-four (24) hour period.

In the case of the state supported institutions of postsecondary education, approval for out-of-state travel may be given by the chief executive officer of the institution, or the chief executive officer's authorized designee, for the chief executive officer's respective personnel.

Before reimbursing overnight travel expenses, the auditor of state shall require documentation as prescribed in the state travel policies and procedures established by the Indiana department of administration and the budget agency. No appropriation from any fund may be construed as authorizing the payment of any sum in excess of the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service when used in the discharge of state business. The Indiana department of administration and the budget agency may adopt policies and procedures relative to the reimbursement of travel and moving expenses of new state employees and the reimbursement of travel expenses of prospective employees who are invited to interview with the state.

#### **2007-234-15**

##### **SECTION 15.**

Notwithstanding IC 4-10-11-2.1, the salary per diem of members of boards, commissions, and councils who are entitled to a salary per diem is \$50 per day. However, members of boards, commissions, or councils who receive an annual or a monthly salary paid by the state are not entitled to the salary per diem provided in IC 4-10-11-2.1.

#### **2007-234-16**

##### **SECTION 16.**

No payment for personal services shall be made by the auditor of state unless the payment has been approved by the budget agency or the designee of the budget agency.

#### **2007-234-17**

##### **SECTION 17.**

No warrant for operating expenses, capital outlay, or fixed charges shall be issued to any department or an institution unless the receipts of the department or institution have been deposited into the state treasury for the month. However, if a department or an institution has more than \$10,000 in daily receipts, the receipts shall be deposited into the state treasury daily.

**2007-234-18**

## SECTION 18.

In case of loss by fire or any other cause involving any state institution or department, the proceeds derived from the settlement of any claim for the loss shall be deposited in the state treasury, and the amount deposited is hereby reappropriated to the institution or department for the purpose of replacing the loss. If it is determined that the loss shall not be replaced, any funds received from the settlement of a claim shall be deposited into the general fund.

**2007-234-19**

## SECTION 19.

If an agency has computer equipment in excess of the needs of that agency, then the excess computer equipment may be sold under the provisions of surplus property sales, and the proceeds of the sale or sales shall be deposited in the state treasury. The amount so deposited is hereby reappropriated to that agency for other operating expenses of the then current year, if approved by the director of the budget agency.

**2007-234-20**

## SECTION 20.

If any state penal or benevolent institution other than the Indiana state prison, Pendleton correctional facility, or Putnamville correctional facility shall, in the operation of its farms, produce products or commodities in excess of the needs of the institution, the surplus may be sold through the division of industries and farms, the director of the supply division of the Indiana department of administration, or both. The proceeds of any such sale or sales shall be deposited in the state treasury. The amount deposited is hereby reappropriated to the institution for expenses of the then current year if approved by the director of the budget agency. The exchange between state penal and benevolent institutions of livestock for breeding purposes only is hereby authorized at valuations agreed upon between the superintendents or wardens of the institutions. Capital outlay expenditures may be made from the institutional industries and farms revolving fund if approved by the budget agency and the governor.

**2007-234-21**

## SECTION 21.

This act does not authorize any rehabilitation and repairs to any state buildings, nor does it allow that any obligations be incurred for lands and structures, without the prior approval of the budget director or the director's designee. This SECTION does not apply to contracts for the state universities supported in whole or in part by state funds.

**2007-234-22**



## SECTION 22.

If an agency has an annual appropriation fixed by law, and if the agency also receives an appropriation in this act for the same function or program, the appropriation in this act supersedes any other appropriations and is the total appropriation for the agency for that program or function.

## **2007-234-23**

### SECTION 23.

The balance of any appropriation or funds heretofore placed or remaining to the credit of any division of the state of Indiana, and any appropriation or funds provided in this act placed to the credit of any division of the state of Indiana, the powers, duties, and functions whereof are assigned and transferred to any department for salaries, maintenance, operation, construction, or other expenses in the exercise of such powers, duties, and functions, shall be transferred to the credit of the department to which such assignment and transfer is made, and the same shall be available for the objects and purposes for which appropriated originally.

## **2007-234-24**

### SECTION 24.

The director of the division of procurement of the Indiana department of administration, or any other person or agency authorized to make purchases of equipment, shall not honor any requisition for the purchase of an automobile that is to be paid for from any appropriation made by this act or any other act, unless the following facts are shown to the satisfaction of the commissioner of the Indiana department of administration or the commissioner's designee:

- (1) In the case of an elected state officer, it shall be shown that the duties of the office require driving about the state of Indiana in the performance of official duty.
- (2) In the case of department or commission heads, it shall be shown that the statutory duties imposed in the discharge of the office require traveling a greater distance than one thousand (1,000) miles each month or that they are subject to official duty call at all times.
- (3) In the case of employees, it shall be shown that the major portion of the duties assigned to the employee require travel on state business in excess of one thousand (1,000) miles each month, or that the vehicle is identified by the agency as an integral part of the job assignment.

In computing the number of miles required to be driven by a department head or an employee, the distance between the individual's home and office or designated official station is not to be considered as a part of the total. Department heads shall annually submit justification for the continued assignment of each vehicle in their department, which shall be reviewed by the commissioner of the Indiana department of administration, or the commissioner's designee. There shall be an insignia permanently affixed on each side of all state owned cars, designating the cars as being state owned. However, this requirement does not apply to state owned cars driven by elected state officials or to cases where the commissioner of the Indiana department of administration or

the commissioner's designee determines that affixing insignia on state owned cars would hinder or handicap the persons driving the cars in the performance of their official duties.

**2007-234-25**

SECTION 25.

When budget agency approval or review is required under this act, the budget agency may refer to the budget committee any budgetary or fiscal matter for an advisory recommendation. The budget committee may hold hearings and take any actions authorized by IC 4-12-1-11, and may make an advisory recommendation to the budget agency.

**2007-234-26**

SECTION 26.

The governor of the state of Indiana is solely authorized to accept on behalf of the state any and all federal funds available to the state of Indiana. Federal funds received under this SECTION are appropriated for purposes specified by the federal government, subject to allotment by the budget agency. The provisions of this SECTION and all other SECTIONS concerning the acceptance, disbursement, review, and approval of any grant, loan, or gift made by the federal government or any other source to the state or its agencies and political subdivisions shall apply, notwithstanding any other law.

**2007-234-27**

SECTION 27.

Federal funds received as revenue by a state agency or department are not available to the agency or department for expenditure until allotment has been made by the budget agency under IC 4-12-1-12(d).

**2007-234-28**

SECTION 28.

A contract or an agreement for personal services or other services may not be entered into by any agency or department of state government without the approval of the budget agency or the designee of the budget director.

**2007-234-29**

SECTION 29.

Except in those cases where a specific appropriation has been made to cover the payments for any of the following, the auditor of state shall transfer, from the personal services appropriations for each of the various agencies and departments, necessary payments for Social Security, public employees' retirement, health insurance, life

insurance, and any other similar payments directed by the budget agency.

**2007-234-30**

SECTION 30.

Subject to SECTION 25 of this act as it relates to the budget committee, the budget agency with the approval of the governor may withhold allotments of any or all appropriations contained in this act for the 2007-2009 biennium, if it is considered necessary to do so in order to prevent a deficit financial situation.

**2007-234-31**

SECTION 31.

The following deficiency appropriation for the state fiscal year beginning July 1, 2006, and ending June 30, 2007, is made in addition to the appropriations in P.L.246-2005, SECTION 9:

FOR THE DEPARTMENT OF EDUCATION  
DISTRIBUTION FOR TUITION SUPPORT

General Fund

Total Operating Expense	56,100,000
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The deficiency appropriation made by this SECTION is not subject to transfer to any other fund or subject to transfer, assignment, or reassignment for any other use or purpose by the state board of finance, notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23, or by the budget agency, notwithstanding IC 4-12-1-12, or any other law.

**2007-234-32**

SECTION 32.

CONSTRUCTION

For the 2007-2009 biennium, the following amounts, from the funds listed as follows, are hereby appropriated to provide for the construction, reconstruction, rehabilitation, repair, purchase, rental, and sale of state properties, capital lease rentals, and the purchase and sale of land, including equipment for such properties and other projects as specified.

State General Fund - Lease Rentals

194,059,832

State General Fund - Construction

275,199,919

State Police Building Commission Fund (IC 9-29-1-4)

6,200,000

Law Enforcement Academy Building Fund (IC 5-2-1-13)

1,319,300

Cigarette Tax Fund (IC 6-7-1-29.1)

3,600,000

Veterans' Home Building Fund (IC 10-17-9-7)

	5,269,167
Postwar Construction Fund (IC 7.1-4-8-1)	
	37,560,000
Regional Health Care Construction Account (IC 4-12-8.5)	
	11,964,998
Build Indiana Fund (IC 4-30-17)	
	889,490
<b>TOTAL</b>	<b>536,062,706</b>

The allocations provided under this SECTION are made from the state general fund, unless specifically authorized from other designated funds by this act. The budget agency, with the approval of the governor, in approving the allocation of funds pursuant to this SECTION, shall consider, as funds are available, allocations for the following specific uses, purposes, and projects:

#### A. GENERAL GOVERNMENT

##### FOR THE HOUSE OF REPRESENTATIVES

Repair and Rehabilitation	425,000
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##### FOR THE SENATE

Senate Renovation	1,500,000
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##### FOR THE STATE BUDGET AGENCY

Health and safety contingency	5,000,000
Aviation Technology Center	2,428,284
Airport Facilities Lease	52,991,552

##### DEPARTMENT OF ADMINISTRATION - PROJECTS

Preventive Maintenance	6,691,790
Repair and Rehabilitation	13,905,000

##### DEPARTMENT OF ADMINISTRATION - LEASES

###### General Fund

Lease - Government Center North	27,491,755
Lease - Government Center South	29,796,249
Lease - State Museum	15,234,934
Lease - McCarty Street Warehouse	1,458,200
Lease - Parking Garages	11,151,141
Lease - Toxicology Lab	11,070,106
Lease - Wabash Valley Correctional	26,229,390
Lease - Rockville Correctional	11,040,071
Lease - Miami Correctional	28,358,823
Lease - Pendleton Juvenile Correctional	8,800,168
Lease - New Castle Correctional	23,428,995

###### Regional Health Care Construction Account (IC 4-12-8.5)

Lease - Evansville State Hospital	3,284,468
Lease - Southeast Regional Treatment	5,297,588
Lease - Logansport State Hospital	3,382,942

#### B. PUBLIC SAFETY

(1) LAW ENFORCEMENT

INDIANA STATE POLICE

State Police Building Commission Fund (IC 9-29-1-4)	
Preventive Maintenance	1,015,000
Repair and Rehabilitation	5,185,000
Postwar Construction Fund (IC 7.1-4-8-1)	
Two State Police Posts	7,000,000

LAW ENFORCEMENT TRAINING BOARD

Law Enforcement Academy Building Fund (IC 5-2-1-13)	
Preventive Maintenance	936,000
Repair and Rehabilitation	383,300

ADJUTANT GENERAL

Preventive Maintenance	250,000
Johnson County Land Acquisition	1,900,000
Repair and Rehabilitation	1,650,000

(2) CORRECTIONS

DEPARTMENT OF CORRECTION - PROJECTS

Postwar Construction Fund (IC 7.1-4-8-1)	
Environmental Response	150,000
Repair and Rehabilitation	200,000

CORRECTIONAL UNITS

Preventive Maintenance	1,515,598
Postwar Construction Fund (IC 7.1-4-8-1)	
Administration/Program Bldg.-Henryville	100,000
Repair and Rehabilitation	400,000

STATE PRISON

Preventive Maintenance	954,492
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	5,200,000

PENDLETON CORRECTIONAL FACILITY

Preventive Maintenance	1,257,064
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	1,200,000

WOMEN'S PRISON

Preventive Maintenance	538,832
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	100,000

NEW CASTLE CORRECTIONAL FACILITY

Preventive Maintenance	350,388
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PUTNAMVILLE CORRECTIONAL FACILITY

Preventive Maintenance	864,822
Postwar Construction Fund (IC 7.1-4-8-1)	
Central Water Softener System	300,000
Repair and Rehabilitation	140,000

PLAINFIELD EDUCATION RE-ENTRY FACILITY

Preventive Maintenance	322,804
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INDIANAPOLIS JUVENILE CORRECTIONAL FACILITY

Preventive Maintenance	395,510
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	100,000
BRANCHVILLE CORRECTIONAL FACILITY	
Preventive Maintenance	272,932
Postwar Construction Fund (IC 7.1-4-8-1)	
Education building addition	1,800,000
WESTVILLE CORRECTIONAL FACILITY	
Preventive Maintenance	806,330
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	3,500,000
ROCKVILLE CORRECTIONAL FACILITY	
Preventive Maintenance	357,296
PLAINFIELD CORRECTIONAL FACILITY	
Preventive Maintenance	663,704
Postwar Construction Fund (IC 7.1-4-8-1)	
Steam distribution center	12,000,000
Repair and Rehabilitation	420,000
RECEPTION-DIAGNOSTIC CENTER	
Preventive Maintenance	214,464
Postwar Construction Fund (IC 7.1-4-8-1)	
Fire egress stairwell	400,000
CORRECTIONAL INDUSTRIAL FACILITY	
Preventive Maintenance	584,172
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	750,000
WORK RELEASE CENTERS	
Preventive Maintenance	76,828
WABASH VALLEY CORRECTIONAL FACILITY	
Preventive Maintenance	608,820
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	2,800,000
MIAMI CORRECTIONAL FACILITY	
Preventive Maintenance	664,560
PENDLETON JUVENILE CORRECTIONAL FACILITY	
Preventive Maintenance	228,738

#### C. CONSERVATION AND ENVIRONMENT

DEPARTMENT OF NATURAL RESOURCES - GENERAL ADMINISTRATION	
Preventive Maintenance	300,000
Repair and Rehabilitation	1,500,000
FISH AND WILDLIFE	
Preventive Maintenance	2,000,000
Health and Safety Projects	1,150,000
Public Access Projects	350,000
FORESTRY	
Preventive Maintenance	2,000,000
Repair and Rehabilitation	6,500,000
MUSEUMS AND HISTORIC SITES	
Preventive Maintenance	365,559

Repair and Rehabilitation	4,500,000
Tippecanoe Battlefield - Fence Restoration	430,000
NATURE PRESERVES	
Preventive Maintenance	200,000
Repair and Rehabilitation	1,350,000
OUTDOOR RECREATION	
Preventive Maintenance	50,000
Repair and Rehabilitation	375,000
STATE PARKS AND RESERVOIR MANAGEMENT	
Preventive Maintenance	2,900,000
Repair and Rehabilitation	7,110,000
Nature Education Center	2,500,000
Water and Wastewater	3,000,000
Inn Rehabilitation	3,500,000
Campground Rehabilitation	3,890,000
Marina Rehabilitation	3,000,000
Pool Rehabilitation	6,000,000
Lincoln State Park Amphitheater Maintenance	810,000
Cigarette Tax Fund (IC 6-7-1-29.1)	
Preventive Maintenance	3,600,000
DIVISION OF WATER	
Preventive Maintenance	250,000
Repair and Rehabilitation	8,925,000
Dredging Cedar Lake - Lake County	2,000,000
ENFORCEMENT	
Preventive Maintenance	250,000
STATE MUSEUM	
Preventive Maintenance	650,000
Repair and Rehabilitation	300,000
OIL AND GAS	
Repair and Rehabilitation	400,000
ENTOMOLOGY	
Invasive Species	1,000,000
Hydrilla Eradication	500,000
WHITE RIVER STATE PARK	
Preventive Maintenance	500,000
Repair and Rehabilitation	480,000
WAR MEMORIALS COMMISSION	
Preventive Maintenance	1,512,094
Civil War Battle Flags	238,500
Repair and Rehabilitation	815,300
INDIANA STATE FAIR	
Ice Skating Academy	4,000,000
LITTLE CALUMET RIVER BASIN COMMISSION	
Repair and Rehabilitation	2,000,000
D. TRANSPORTATION	
AIRPORT DEVELOPMENT	
Airport Development	3,650,000

Of the foregoing allocation for the Indiana department of transportation, two million four hundred thousand dollars (\$2,400,000) are for airport development and shall be used for the purpose of assisting local airport authorities and local units of government in matching available federal funds under the airport improvement program and for matching federal grants for airport planning and for the other airport studies. Matching grants of aid shall be made in accordance with the approved annual capital improvements program of the Indiana department of transportation and with the approval of the governor and the budget agency.

Of the foregoing allocation for the Indiana department of transportation, one million two hundred and fifty thousand dollars (\$1,250,000) are for construction of a terminal building at Hulman International Airport.

## E. FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS

### (1) FAMILY AND SOCIAL SERVICES ADMINISTRATION

FSSA CONSTRUCTION	
Repair and Rehabilitation	1,000,000
EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER	
Preventive Maintenance	45,000
Repair and Rehabilitation	100,000
EVANSVILLE STATE HOSPITAL	
Preventive Maintenance	500,000
Consult/Design for Forensic Pts.	100,000
Repair and Rehabilitation	858,000
MADISON STATE HOSPITAL	
Preventive Maintenance	971,409
LOGANSPOUT STATE HOSPITAL	
Preventive Maintenance	963,144
Repair and Rehabilitation	4,228,000
RICHMOND STATE HOSPITAL	
Preventive Maintenance	1,210,724
Operational Support Building	649,250
Repair and Rehabilitation	3,329,000
LARUE CARTER MEMORIAL HOSPITAL	
Preventive Maintenance	5,000,000

### (2) PUBLIC HEALTH

DEPARTMENT OF HEALTH	
Preventive Maintenance	15,303
Repair and Rehabilitation	1,684,697
SCHOOL FOR THE BLIND	
Preventive Maintenance	565,714
Repair and Rehabilitation	2,964,671
SCHOOL FOR THE DEAF	
Preventive Maintenance	553,120
Repair and Rehabilitation	3,046,357
SOLDIERS' AND SAILORS' CHILDREN'S HOME	
Preventive Maintenance	400,000



Repair and Rehabilitation	925,000
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(3) VETERANS' AFFAIRS

INDIANA VETERANS' HOME

Veterans' Home Building Fund (IC 10-17-9-7)

Preventive Maintenance	1,000,000
Replacement of Busses	485,000
Repair and Rehabilitation	3,784,167

F. EDUCATION

HIGHER EDUCATION

INDIANA UNIVERSITY - TOTAL SYSTEM

General Repair and Rehab	25,202,564
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PURDUE UNIVERSITY - TOTAL SYSTEM

General Repair and Rehab	19,777,318
Indiana Purdue Ft. Wayne-Northeast Indiana Innovation Center	5,000,000

INDIANA STATE UNIVERSITY

General Repair and Rehab	4,681,980
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UNIVERSITY OF SOUTHERN INDIANA

General Repair and Rehab	1,121,925
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BALL STATE UNIVERSITY

General Repair and Rehab	6,726,301
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VINCENNES UNIVERSITY

General Repair and Rehab	2,272,968
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IVY TECH COMMUNITY COLLEGE

General Repair and Rehab	2,287,041
A&E Phase 2 Bloomington	350,000

G. OTHER PROJECTS

MARTIN COUNTY 4-H BOARD

Build Indiana Fund (IC 4-30-17)

Martin County Community Building	39,490
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The above appropriation shall be paid from funds remaining after the transfers required under IC 4-30-17-3.5.

DEPARTMENT OF NATURAL RESOURCES

Build Indiana Fund (IC 4-30-17)

Lake Shafer & Lake Freeman Dredging	850,000
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The above appropriation shall be paid from funds remaining after the transfers required under IC 4-30-17-3.5.

TOWN OF ROCKVILLE

Postwar Construction Fund (IC 7.1-4-8-1)

Rockville Sewer Upgrade Serving the Rockville Correctional Facility	1,000,000
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In addition to any other use of money from the postwar construction fund, the budget

agency, after review by the budget committee shall allot and distribute the above appropriation from the postwar construction fund to the Town of Rockville. The Town of Rockville may use the distributed amount for an upgrade to the sewer system serving Rockville and the Rockville Correctional Facility, including any reserve requirements or expenses related to issuing bonds or entering into loans to finance an upgrade of the sewer system.

**2007-234-33**

SECTION 33.

The budget agency may employ one (1) or more architects or engineers to inspect construction, rehabilitation, and repair projects covered by the appropriations in this act or previous acts.

**2007-234-34**

SECTION 34.

If any part of a construction or rehabilitation and repair appropriation made by this act or any previous acts has not been allotted or encumbered before the expiration of two (2) biennia, the budget agency may determine that the balance of the appropriation is not available for allotment. The appropriation may be terminated, and the balance may revert to the fund from which the original appropriation was made.

**2007-234-35**

SECTION 35.

The budget agency may retain balances in the mental health fund at the end of any fiscal year to ensure there are sufficient funds to meet the service needs of the developmentally disabled and the mentally ill in any year.

**2007-234-36**

SECTION 36.

If the budget director determines at any time during the biennium that the executive branch of state government cannot meet its statutory obligations due to insufficient funds in the general fund, then notwithstanding IC 4-10-18, the budget agency, with the approval of the governor and after review by the budget committee, may transfer from the counter-cyclical revenue and economic stabilization fund to the general fund an amount necessary to maintain a positive balance in the general fund.

**2007-234-48**

SECTION 48. (a) As used in this SECTION, "board" refers to the spinal cord and brain injury research board created by IC 16-41-42-6, as added by this act.

(b) Notwithstanding IC 16-41-42-6, as added by this act, members initially appointed to the board under IC 16-41-42-6(b)(1), IC 16-42-41-6(c)(1), and IC 16-42-41-6(c)(2), as added by this act, are appointed for a term of four (4) years.

(c) Notwithstanding IC 16-41-42-6, as added by this act, members initially appointed to the board under IC 16-41-42-6(c)(3) and IC 16-41-42-6(c)(4), as added by this act, are appointed for a term of three (3) years.

(d) Notwithstanding IC 16-41-42-6, as added by this act, members initially appointed to the board under IC 16-41-42-6(b)(4) and IC 16-41-42-6(c)(5), as added by this act, are appointed for a term of two (2) years.

(e) Notwithstanding IC 16-41-42-6, as added by this act, members initially appointed to the board under IC 16-41-42-6(b)(2) and IC 16-41-42-6(b)(3), as added by this act, are appointed for a term of one (1) year.

(f) This SECTION expires July 1, 2011.

#### **2007-234-172**

SECTION 172. (a) If the budget director determines at any time during the biennium that the executive branch of state government cannot meet its statutory obligations due to insufficient funds in the general fund, then notwithstanding IC 4-10-18, the budget agency, with the approval of the governor and after review by the budget committee, may transfer from the counter-cyclical revenue and economic stabilization fund to the general fund an amount necessary to maintain a positive balance in the general fund.

(b) This SECTION expires July 2, 2009.

#### **2007-234-173**

SECTION 173. (a) As used in this SECTION, "commission" refers to the commission on disproportionality in youth services.

(b) As used in this SECTION, "youth services" means the following:

- (1) Juvenile justice services.
- (2) Child welfare services.
- (3) Education services.
- (4) Mental health services.

(c) The commission on disproportionality in youth services is established to develop and provide an implementation plan to evaluate and address disproportionate representation of youth of color in the use of youth services.

(d) The commission consists of the following members appointed not later than August 15, 2007:

- (1) The dean or a faculty member of an Indiana accredited graduate school of public administration, social work, education, mental health, or juvenile justice, who shall serve as chairperson of the commission.
- (2) The state superintendent of public instruction, or the superintendent's designee.
- (3) The director of the division of mental health and addiction, or the director's designee.
- (4) The executive director of the Indiana criminal justice institute, or the executive director's designee.
- (5) The director of the department of child services, or the director's designee.
- (6) The commissioner of the department of correction, or the commissioner's designee.
- (7) A division of child services county director from a densely populated county.
- (8) A faculty member of an Indiana accredited college or university that offers undergraduate degrees in public administration, social work, education, mental health, or juvenile justice.
- (9) A prosecuting attorney.
- (10) A juvenile court judge.
- (11) An attorney who specializes in juvenile law.
- (12) A representative of the Indiana Minority Health Coalition.
- (13) A health care provider who specializes in pediatric or emergency medicine.
- (14) A public agency family case manager.
- (15) A private agency children's service social worker.
- (16) A school counselor or social worker.
- (17) A representative of law enforcement.
- (18) A guardian ad litem, court appointed special advocate, or other child advocate.
- (19) The chairperson of an established advocacy group in Indiana that has previously investigated the issue of disproportionality in use of youth services.
- (20) A young adult who has previous involvement with at least one (1) youth service.

- (21) A representative of foster parents or adoptive parents.
- (22) A representative of a state teacher's association or a public school teacher.
- (23) A child psychiatrist or child psychologist.
- (24) A representative of a family support group.
- (25) A representative of the National Alliance on Mental Illness.
- (26) A representative of the commission on the social status of black males.
- (27) A representative of the Indiana Juvenile Detention Association.
- (28) A representative of the commission on Hispanic/Latino affairs.
- (29) A representative of the civil rights commission.
- (30) Two (2) members of the house of representatives appointed by the speaker of the house of representatives. The members appointed under this subdivision may not be members of the same political party and serve as nonvoting members.
- (31) Two (2) members of the senate appointed by the president pro tempore of the senate. The members appointed under this subdivision may not be members of the same political party and serve as nonvoting members.

The governor shall appoint the members under subdivisions (1), (7), (10), (13), (16), (19), (22), (25), (28), and (29). The speaker of the house of representatives shall appoint the members under subdivisions (8), (11), (14), (17), (20), (23), (26), and (30). The president pro tempore of the senate shall appoint the members under subdivisions (9), (12), (15), (18), (21), (24), (27), and (31). Vacancies shall be filled by the appointing authority for the remainder of the unexpired term.

(e) Each member of the commission shall have an interest in or influence on evaluating and addressing disproportionate representation of youth of color in the use of youth services.

(f) A majority of the voting members of the commission constitutes a quorum.

(g) The Indiana accredited graduate school represented by the chairperson of the commission under subsection (d)(1) shall staff the commission.

(h) The commission shall meet at the call of the chairperson and shall meet as often as necessary to carry out the purposes of this SECTION.

(i) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(j) Each member of the commission who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(k) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

(l) The commission's responsibilities include the following:

- (1) Reviewing Indiana's public and private child welfare, juvenile justice, mental health, and education service delivery systems to evaluate disproportionality rates in the use of youth services by youth of color.
- (2) Reviewing federal, state, and local funds appropriated to address disproportionality in the use of youth services by youth of color.
- (3) Reviewing current best practice standards addressing disproportionality in the use of youth services by youth of color.
- (4) Examining the qualifications and training of youth service providers and making recommendations for a training curriculum and other necessary changes.
- (5) Recommending methods to improve use of available public and private funds to address disproportionality in the use of youth services by youth of color.

- (6) Providing information concerning identified unmet youth service needs and providing recommendations concerning the development of resources to meet the identified needs.
- (7) Suggesting policy, program, and legislative changes related to youth services to accomplish the following:
  - (A) Enhancement of the quality of youth services.
  - (B) Identification of potential resources to promote change to enhance youth services.
  - (C) Reduction of the disproportionality in the use of youth services by youth of color.
- (8) Preparing a report consisting of the commission's findings and recommendations, and the presentation of an implementation plan to address disproportionate representation of youth of color in use of youth services.
- (m) In carrying out the commission's responsibilities, the commission shall consider pertinent studies concerning disproportionality in use of youth services by youth of color.
- (n) The affirmative votes of a majority of the commission's voting members are required for the commission to take action on any measure, including recommendations included in the report required under subsection (l)(8).
- (o) The commission shall submit the report required under subsection (l)(8) to the governor and to the legislative council not later than August 15, 2008. The report to the legislative council must be in an electronic format under IC 5-14-6. The commission shall make the report available to the public upon request not later than December 1, 2008.
- (p) There is appropriated from the state general fund one hundred twenty-five thousand (\$125,000) dollars for the period beginning July 1, 2007, and ending December 31, 2008, to carry out the purposes of this SECTION, including the hiring by the chairperson of an individual to serve only to assist the chairperson and members with research, statistical analysis, meeting support, and drafting of the report required under subsection (l)(8).
- (q) This SECTION expires January 1, 2009.

#### **2007-234-174**

SECTION 174. There is appropriated to the department of agriculture the following amounts from the state general fund for the following purposes beginning July 1, 2007, and ending June 30, 2009:

Acquisition of land and improvements for education outreach and development center	\$2,000,000
Total operating costs for educational outreach associated through the center	\$300,000
Total operating costs for development in conservation, bioenergy and natural resources through the center	\$300,000

(b) The money appropriated by this SECTION does not revert to the state general fund at the close of any state fiscal year but remains available to the department of agriculture until the purpose for which it was appropriated is fulfilled.

#### **2007-234-175**

SECTION 175. The trustees of Vincennes University may issue and sell bonds under IC 21-34, subject to the approvals required by IC 21-33-3, for the purpose of constructing, furnishing, and equipping a center for advanced manufacturing and applied technology on the Jasper campus of Vincennes University, if the sum of principal costs of any bonds issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed eight million dollars (\$8,000,000).

#### **2007-234-176**

SECTION 176. (a) There is appropriated to Vincennes University five million dollars (\$5,000,000) from the

state general fund for the construction of a center for advanced manufacturing in Gibson County. The center shall be owned and operated by Vincennes University. The appropriation may be used for:

- (1) the construction, furnishing, and equipping of the center;
- (2) purchasing any land necessary for the center; and
- (3) employing one (1) or more architects or engineers.

(b) If any part of the appropriation made by subsection (a) has not been allotted or encumbered before July 1, 2011, the budget agency may determine that:

- (1) the balance of the appropriation is not available for allotment;
- (2) the appropriation shall be terminated; and
- (3) the balance of the appropriation shall revert to the state general fund.

#### **2007-234-177**

SECTION 177. The trustees of Vincennes University are authorized to acquire, construct, renovate, improve, and equip a multicultural center to be funded from sources other than student fees or state funds or bonds payable from student fees or state funds if the total cost of the project does not exceed five million dollars (\$5,000,000).

#### **2007-234-178**

SECTION 178. (a) There is appropriated to the Indiana University School of Medicine - South Bend ten million dollars (\$10,000,000) from the state general fund for the construction of the Cancer Research Institute. The facility shall be owned and operated by Indiana University School of Medicine - South Bend.

(b) The money appropriated by this SECTION does not revert to the state general fund at the close of any state fiscal year but remains available to Indiana University School of Medicine - South Bend until the purpose for which it was appropriated is fulfilled.

#### **2007-234-179**

SECTION 179. (a) The trustees of the following institutions may issue and sell bonds under IC 21-34, subject to the approvals required by IC 21-33-3, for the following projects if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for that institution:

Indiana University South Bend - Arts Building	
Renovation	\$27,000,000
Indiana University Bloomington - Cyber	
Infrastructure Building	18,300,000
Indiana University, Purdue University at	
Indianapolis - Neurosciences Research Building	20,000,000
Indiana University Southeast Medical	
Education Center A & E	1,000,000
Indiana State University - Life Sciences/Chemistry	
Laboratory Renovations	14,800,000
Ball State University - Central Campus	
Academic Project, Phase I & Utilities	33,000,000
Ivy Tech-Fort Wayne Technology Center	
and Demolition Costs	26,700,000
Ivy Tech - Indianapolis Community College	
for the Fall Creek Expansion Project	69,370,000
Ivy Tech - Lamkin Center for Instructional	
Development and Leadership	1,000,000
Ivy Tech - Logansport	16,000,000
Ivy Tech - Sellersburg	20,000,000
Ivy Tech - Warsaw A & E	1,000,000

Ivy Tech - Muncie\Anderson A & E	4,800,000
Ivy Tech - Elkhart Phase I	16,000,000
Ivy Tech - Greencastle	8,000,000
Purdue University Calumet - Gyt Building A & E	2,400,000
Purdue University North Central - Student Services & Recreation Center A & E	1,000,000
University of Southern Indiana College of Business - General Classroom Building	29,900,000
Vincennes University - Health and Science Lab Rehabilitation	2,000,000
Indiana University, Purdue University at Fort Wayne Student Services and Library Complex	24,000,000

(b) The trustees of the following institution may issue and sell bonds under IC 21-34, subject to the approvals required by IC 21-33-3, for the following project if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for that institution:

Purdue University West Lafayette - Mechanical Engineering Addition	\$33,000,000
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The foregoing project is not eligible for fee replacement appropriations.

(c) The trustees of the following institution may issue and sell bonds under IC 21-34, subject to the approvals required by IC 21-33-3, for the following project if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for that institution:

Purdue University West Lafayette - Boiler No. 6	\$53,000,000
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The institution shall invite bids as provided under IC 21-37-3-3. The bids shall be open to inspection by the public.

#### **2007-234-180**

SECTION 180. (a) The trustees of the following institution may issue and sell bonds under IC 21-34, subject to the approvals required by IC 21-33-3, for the following project if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for that institution:

Purdue University West Lafayette - Animal Disease Diagnostic Laboratory (BSL-3)	\$30,000,000
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(b) The Indiana department of administration, acting on behalf of the Indiana state board of animal health, in recognition of the state board of animal health's statutory functions involving the animal disease diagnostic laboratory, is hereby authorized and directed to enter into a lease agreement, as lessee, with the trustees of Purdue University as lessor, covering animal disease diagnostic laboratory (BSL-3).

#### **2007-234-181**

SECTION 181. The trustees of Indiana University may issue and sell bonds under IC 21-35, subject to the approvals required under IC 21-33-3, to provide funds for the acquisition, renovation, expansion, and improvements for the new Athletic Facilities (including all related and subordinate components of the new Athletic facilities) and may undertake the project if the total costs financed by the bond issue, excluding any amount necessary to provide money for debt service reserved, credit enhancement, or other costs incidental to the issuance of the bonds, do not exceed forty-five million dollars (\$45,000,000). Income from the property may include general athletic revenues.

#### **2007-234-182**

SECTION 182. (a) The purpose of this SECTION is to eliminate the accrued payment delay balances to state

educational institutions and IHETS and the Indiana commission for higher education that were created because of the distribution of eleven-twelfths (11/12) of the budgeted amount in the state fiscal year ending June 30, 2002, and a continuation of the practice of delayed payments in subsequent state fiscal years through the state fiscal year ending June 30, 2005.

(b) The following definitions apply throughout this section:

(1) "IHETS" refers to the Indiana higher education telecommunications system.

(2) "State educational institution" has the meaning set forth in IC 21-7-13-32.

(c) There is appropriated to the budget agency sixty-two million, fifty-six thousand, eight hundred fifty-four dollars (\$62,056,854) from the state general fund for its use for general repair and rehabilitation or for repair and rehabilitation of dormitories or other student housing of state educational institutions, beginning July 1, 2007, and ending June 30, 2009 as follows:

INDIANA UNIVERSITY - TOTAL SYSTEM

General Repair and Rehab 24,343,840

PURDUE UNIVERSITY - TOTAL SYSTEM

General Repair and Rehab 17,189,072

INDIANA STATE UNIVERSITY

General Repair and Rehab 4,304,740

UNIVERSITY OF SOUTHERN INDIANA

General Repair and Rehab 1,612,030

BALL STATE UNIVERSITY

General Repair and Rehab 6,678,810

VINCENNES UNIVERSITY

General Repair and Rehab 1,804,222

IVY TECH COMMUNITY COLLEGE

General Repair and Rehab 6,124,142

(d) Notwithstanding P.L.246-2005, SECTION 32, the budget agency shall distribute to a state educational institution after June 30, 2007, and before July 1, 2009, the amount appropriated to the state educational institution under subsection (c). The distributions under subsection (c) shall be made as follows:

(1) Fifty percent (50%) of the distributions shall be made in one (1) or more installments after June 30, 2007, and before July 1, 2008, on the schedule determined by the budget agency after review of the schedule by the budget committee.

(2) Fifty percent (50%) of the distributions shall be made in one (1) or more installments after June 30, 2008, and before July 1, 2009, on the schedule determined by the budget agency after review of the schedule by the budget committee.

(3) Each distribution shall be separately allotted.

(e) An appropriation under subsection (c) is in addition to the appropriations for general repair and rehabilitation made in P.L.246-2005, SECTION 32, or any other law. Notwithstanding any other law, an appropriation under subsection (c) does not revert to the general fund under IC 4-13-2-19.

(f) The amount appropriated under subsection (c), when distributed to a state educational institution, shall be treated as reducing any claim that the total system of the state educational institution has to one-twelfth (1/12) of the amount budgeted for the state educational institution in all line items in HEA 1001-2003, SECTION 9, for the state fiscal year ending June 30, 2005. Subject to subsection (g), the amount of the claim reduction for each state educational institution is equal to the amount distributed to the state educational institution. The amount of the claim reduction for the entire system, and the amount apportioned for each institution individually, shall be computed by the budget agency. The budget agency shall make the final determination.

(g) An amount appropriated under subsection (c), when distributed to Indiana University, shall be treated as reducing any claim that IHETS has to one-twelfth (1/12) of the amount budgeted for IHETS in all line items in HEA 1001-2003, SECTION 9, for the state fiscal year ending June 30, 2005. The amount of the claim reduction is a part of the amount distributed to Indiana University - Total System apportioned as determined by the budget agency.

(h) Amounts appropriated under subsection (c) shall be treated as reducing any claim to zero dollars (\$0) that



the Indiana commission for higher education has to one-twelfth (1/12) of the amount budgeted for the Indiana commission for higher education in all line items in HEA 1001-2003, SECTION 9, for the state fiscal year ending June 30, 2005.

#### **2007-234-183**

SECTION 183. There is appropriated from the state general fund to Ivy Tech Community College one million six hundred thousand dollars (\$1,600,000) for the purpose of making lease payments for the Portage Campus beginning July 1, 2008, and ending June 30, 2009. Any unencumbered amount from the appropriation under this SECTION remaining at the end of a state fiscal year does not revert to the state general fund but remains available for the purposes of the appropriation in subsequent state fiscal years.

#### **2007-234-184**

SECTION 184. (a) There is appropriated to the Indiana economic development corporation one million dollars (\$1,000,000) from the state general fund for the period beginning July 1, 2007, and ending June 30, 2009, for its use in providing technical and financial assistance to small businesses (as defined in IC 4-22-2.1-4) that engage in global commerce.

(b) This SECTION expires June 30, 2009.

#### **2007-234-185**

SECTION 185. (a) There is appropriated to the Indiana economic development corporation one million dollars (\$1,000,000) from the state general fund for its use in assisting the Indiana small business development center in the operation of the small business development center network, for the period beginning July 1, 2007, and ending June 30, 2009.

(b) Money appropriated by this SECTION must be used for the specific purpose described in subsection (a). Money appropriated by this SECTION may not be used to pay the administrative expenses of the Indiana economic development corporation.

(c) This SECTION expires June 30, 2009.

#### **2007-234-186**

SECTION 186. Notwithstanding SECTION 244 of HEA 1001-2005, the trustees of Purdue University may issue and sell bonds under IC 21-34, subject to the review by the budget committee required by IC 21-33-3, for the following project if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below:

Purdue University North Central Campus  
Parking Garage No. 1

8,000,000

#### **2007-234-187**

SECTION 187. (a) The general assembly finds that the state of Indiana needs additional parking facilities in the area of the state capitol complex and the White River State Park for:

- (1) employees of the state and the facilities located in the area of the state capitol complex and White River State Park; and
- (2) visitors to or persons having business at facilities located in the area of the state capitol complex and White River State Park.

(b) The general assembly finds that the state of Indiana will have a continuing need for use and occupancy of the parking facilities described in subsection (a).

(c) The general assembly authorizes the Indiana finance authority to proceed with the projects described in subsection (a) under IC 4-13.5-1 and IC 4-13.5-4.

(d) The Indiana finance authority shall present a feasibility plan and cost estimate to the budget committee when the feasibility plan and cost estimate become available.

**2007-234-203**

SECTION 203. IC 6-7-2-7, as amended by this act, applies to transactions occurring after June 30, 2007.

**2007-234-206**

SECTION 206. (a) As used in this SECTION, "committee" refers to the sentencing policy study committee established by subsection (c).

(b) The general assembly finds that a comprehensive study of sentencing laws and policies is desirable in order to:

- (1) ensure that sentencing laws and policies protect the public safety;
- (2) establish fairness and uniformity in sentencing laws and policies;
- (3) determine whether incarceration or alternative sanctions are appropriate for various categories of criminal offenses; and
- (4) maximize cost effectiveness in the administration of sentencing laws and policies.

(c) The sentencing policy study committee is established to evaluate sentencing laws and policies as they relate to:

- (1) the purposes of the criminal justice and corrections systems;
- (2) the availability of sentencing options; and
- (3) the inmate population in department of correction facilities.

If, based on the committee's evaluation under this subsection, the committee determines that changes are necessary or appropriate, the committee shall make recommendations to the general assembly for the modification of sentencing laws and policies and for the addition, deletion, or expansion of sentencing options.

(d) The committee shall do the following:

(1) Evaluate the existing classification of criminal offenses into felony and misdemeanor categories. In determining the proper category for each felony and misdemeanor, the committee shall consider, to the extent they have relevance, the following:

- (A) The nature and degree of harm likely to be caused by the offense, including whether the offense involves property, irreplaceable property, a person, a number of persons, or a breach of the public trust.
- (B) The deterrent effect a particular classification may have on the commission of the offense.
- (C) The current incidence of the offense in Indiana.
- (D) The rights of the victim.

(2) Recommend structures to be used by a sentencing court in determining the most appropriate sentence to be imposed in a criminal case, including any combination of imprisonment, probation, restitution, community service, or house arrest. The committee shall also consider the following:

- (A) The nature and characteristics of the offense.
- (B) The severity of the offense in relation to other offenses.
- (C) The characteristics of the defendant that mitigate or aggravate the seriousness of the criminal conduct and the punishment deserved for that conduct.
- (D) The defendant's number of prior convictions.
- (E) The available resources and capacity of the department of correction, local confinement facilities, and community based sanctions.
- (F) The rights of the victim.

The committee shall include with each set of sentencing structures an estimate of the effect of the sentencing structures on the department of correction and local facilities with respect to both fiscal impact and inmate population.

(3) Review community corrections and home detention programs for the purpose of:

- (A) standardizing procedures and establishing rules for the supervision of home detainees; and
- (B) establishing procedures for the supervision of home detainees by community corrections programs of adjoining counties.

(4) Determine the long range needs of the criminal justice and corrections systems and recommend policy priorities for those systems.

(5) Identify critical problems in the criminal justice and corrections systems and recommend strategies to

solve the problems.

(6) Assess the cost effectiveness of the use of state and local funds in the criminal justice and corrections systems.

(7) Recommend a comprehensive community corrections strategy based on the following:

(A) A review of existing community corrections programs.

(B) The identification of additional types of community corrections programs necessary to create an effective continuum of corrections sanctions.

(C) The identification of categories of offenders who should be eligible for sentencing to community corrections programs and the impact that changes to the existing system of community corrections programs would have on sentencing practices.

(D) The identification of necessary changes in state oversight and coordination of community corrections programs.

(E) An evaluation of mechanisms for state funding and local community participation in the operation and implementation of community corrections programs.

(F) An analysis of the rate of recidivism of clients under the supervision of existing community corrections programs.

(8) Propose plans, programs, and legislation for improving the effectiveness of the criminal justice and corrections systems.

(9) Evaluate the use of faith based organizations as an alternative to incarceration.

(10) Study issues related to sex offenders, including:

(A) lifetime parole;

(B) GPS or other electronic monitoring;

(C) a classification system for sex offenders;

(D) recidivism; and

(E) treatment.

(e) The committee may study other topics assigned by the legislative council or as directed by the committee chair. The committee may meet as often as necessary.

(f) The committee consists of twenty (20) members appointed as follows:

(1) Four (4) members of the senate, not more than two (2) of whom may be affiliated with the same political party, to be appointed by the president pro tempore of the senate.

(2) Four (4) members of the house of representatives, not more than two (2) of whom may be affiliated with the same political party, to be appointed by the speaker of the house of representatives.

(3) The chief justice of the supreme court or the chief justice's designee.

(4) The commissioner of the department of correction or the commissioner's designee.

(5) The director of the Indiana criminal justice institute or the director's designee.

(6) The executive director of the prosecuting attorneys council of Indiana or the executive director's designee.

(7) The executive director of the public defender council of Indiana or the executive director's designee.

(8) One (1) person with experience in administering community corrections programs, appointed by the governor.

(9) One (1) person with experience in administering probation programs, appointed by the governor.

(10) Two (2) judges who exercise juvenile jurisdiction, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the governor.

(11) Two (2) judges who exercise criminal jurisdiction, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the governor.

(12) One (1) board certified psychologist or psychiatrist who has expertise in treating sex offenders, appointed by the governor to act as a nonvoting advisor to the committee.

(g) The chairman of the legislative council shall appoint a legislative member of the committee to serve as chair of the committee. Whenever there is a new chairman of the legislative council, the new chairman may remove the chair of the committee and appoint another chair.

(h) If a legislative member of the committee ceases to be a member of the chamber from which the member

was appointed, the member also ceases to be a member of the committee.

(i) A legislative member of the committee may be removed at any time by the appointing authority who appointed the legislative member.

(j) If a vacancy exists on the committee, the appointing authority who appointed the former member whose position is vacant shall appoint an individual to fill the vacancy.

(k) The committee shall submit a final report of the results of its study to the legislative council before November 1, 2008. The report must be in an electronic format under IC 5-14-6.

(l) The Indiana criminal justice institute shall provide staff support to the committee.

(m) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, of interim study committees established by the legislative council.

(n) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including the final report.

(o) Except as otherwise specifically provided by this act, the committee shall operate under the rules of the legislative council. All funds necessary to carry out this act shall be paid from appropriations to the legislative council and legislative services agency.

(p) This SECTION expires December 31, 2008.

#### **2007-234-214**

SECTION 214. (a) The Jackson superior court is not expanded to two (2) judges until January 1, 2008.

(b) The governor shall appoint a person under IC 3-13-6-1(f) to serve as the initial judge added to the Jackson superior court by IC 33-33-36-3, as amended by this act, before January 1, 2008.

(c) The term of the initial judge appointed under subsection (b) begins January 1, 2008, and ends December 31, 2010.

(d) The initial election of the judge of the Jackson superior court added by IC 33-33-36-3, as amended by this act, is the general election on November 2, 2010. The term of the initially elected judge begins January 1, 2011.

#### **2007-234-221**

SECTION 221.(a) Notwithstanding IC 33-33-22-3, as amended by this act, the Floyd superior court is not expanded from one (1) judge to three (3) judges until January 1, 2009.

(b) As of January 1, 2009, the Floyd county court is abolished.

(c) Any case pending in the Floyd county court after the close of business on December 31, 2008, is transferred on January 1, 2009, to the Floyd superior court established by IC 33-33-22-2. All cases transferred under this subsection that are eligible to be heard by the standard small claims and misdemeanor division, established by IC 33-33-22-7, as added by this act, shall be transferred to the standard small claims and misdemeanor division of the Floyd superior court in accordance with the venue requirements prescribed in Rule 75 of the Indiana Rules of Trial Procedure. A case transferred under this SECTION shall be treated as if the case were filed in the Floyd superior court.

(d) On January 1, 2009, all property and obligations of the Floyd county court become the property and obligations of the Floyd superior court.

(e) The initial election of the second and third judges of the Floyd superior court added by IC 33-33-22-3, as amended by this act, is the general election on November 4, 2008. The term of a judge elected under this subsection begins January 1, 2009.

(f) This SECTION expires January 2, 2009.

#### **2007-234-222**

SECTION 222. (a) The definitions in IC 20-18-2 apply throughout this SECTION.

(b) The legislative council shall contract with Indiana University's Center for Evaluation and Education Policy for a study of the effectiveness and efficiency of charter schools in Indiana under the terms and conditions specified by the legislative council. The study must provide for a final report to be made before November 1, 2008, to the general assembly in an electronic format under IC 5-14-6 and to the governor. The department of

education, charter schools, and sponsors of charter schools shall cooperate with the Center for Evaluation and Education Policy to complete the study.

#### **2007-234-223**

SECTION 223. Beginning in October 2007, and in every third month thereafter, the department of transportation shall submit a report to the legislative council in an electronic format under IC 5-14-6 and the governor describing the projects that the department of transportation has expended or encumbered money from the appropriation in the state fiscal year for MAJOR MOVES CONSTRUCTION PROGRAM (IC 8-14-14-5) Formal Contract Expense. The report must identify whether the project was listed in the department of transportation project priority list as that list existed on April 29, 2007, the extent to which the expenditures made for the project are consistent with the work contemplated in the list, and any other information that is necessary or appropriate to determining whether expenditures are being made in accordance with the projects contemplated on April 29, 2007, for the year. In addition, the department of transportation shall make presentations to the legislative council or the interim study committee designated by the legislative council concerning the completion of projects from the appropriation, as requested by the legislative council or the committee. After submission of the reports required under this SECTION, the department may request the budget agency to augment the appropriation for Major Moves Construction Program – Formal Projects expense in an amount not to exceed \$50,000,000 for each year of the biennium.

#### **2007-234-275**

SECTION 275. Notwithstanding IC 4-8.1-1-7, as amended by P.L.235-2005, SECTION 52, any payment made on or after April 1, 2007, by United Air Lines, Inc., to the state of Indiana under the IMC 757/767 Project Agreement, dated December 1, 1994, between the Indiana Economic Development Corporation and United Air Lines, Inc., upon failure to achieve prescribed levels of investment, employment, or wages set forth in the agreement at certain facilities that were financed with the proceeds of bonds issued by the Indiana finance authority under IC 8-21-12, shall be deposited as follows:

(1) Fifty percent (50%) of the money shall be deposited in the affordable housing and community development fund established by IC 5-20-4-7. The proceeds of any such payments are continuously appropriated for the purposes specified in IC 5-20-4-8. Any such proceeds in the affordable housing and community development fund that remain unexpended at the end of any state fiscal year shall remain in the fund until expended and shall not revert to the state general fund due to United States Internal Revenue Service requirements related to outstanding Indiana finance authority bonds.

(2) Fifty percent (50%) of the money shall be distributed among the counties that either have at least one (1) unit that has established an affordable housing fund under IC 5-20-5-15.5 or a housing trust fund established under IC 36-7-15.1-35.5(e) in proportion to the population of each county. The money shall be allocated within the county as follows:

(A) In a county that does not contain a consolidated city and has at least one (1) unit that has established an affordable housing fund under IC 5-20-5-15.5, the amount to be distributed to each unit that has established an affordable housing fund under IC 5-20-5-15.5 is the amount available for distribution multiplied by a fraction. The numerator of the fraction is the population of the unit. The denominator of the fraction is the population of all units in the county that have established an affordable housing fund. For purposes of allocating an amount to the affordable housing fund established by the county, the population to be used for that unit is the population of the county outside any city or town that has established an affordable housing fund. The allocated amount shall be deposited in the unit's affordable housing fund for the purposes of the fund.

(B) In a county to which clause (A) does not apply, the money shall be deposited in the housing trust fund established under IC 36-7-15.1-35.5(e) for the purposes of the fund.

#### **2007-234-276**

SECTION 276. For the purposes of applying IC 6-2.5-6-9, IC 6-2.5-6-9, as amended by P.L.184-2006, SECTION 2 (effective July 1, 2007), and not IC 6-2.5-6-9, as amended by P.L.162-2006, SECTION 23 (effective

January 1, 2007), shall be treated as applying to deductions from sales tax remittances after December 31, 2006, and before July 1, 2007, to the same extent as if the effective date for IC 6-2.5-6-9, as amended by P.L.184-2006, SECTION 2 had been January 1, 2007.

#### **2007-234-291**

SECTION 291. (a) IC 4-33-12-6, as amended by this act, applies to riverboat admissions taxes remitted by an operating agent after June 30, 2007.

(b) IC 4-33-13-5, as amended by this act, applies to riverboat wagering taxes remitted by an operating agent after June 30, 2007.

#### **2007-234-292**

SECTION 292. (a) As used in this SECTION, "commission" refers to a historic hotel preservation commission established by an interlocal agreement under IC 36-7-11.5-3, before its repeal by this act.

(b) As used in this SECTION, "local development agreement" refers to the local development agreement:

(1) entered into by:

- (A) the town of French Lick;
- (B) the town of West Baden Springs;
- (C) Orange County;
- (D) the commission; and
- (E) Blue Sky Casino, LLC; and

(2) dated July 28, 2005.

(c) Notwithstanding any other law, the commission is abolished on July 1, 2007.

(d) Notwithstanding any other law, the term of office of a member of the commission serving on June 30, 2007, terminates July 1, 2007.

(e) Any balance remaining on June 30, 2007, in the community trust fund established under IC 36-7-11.5-8 (before its repeal by this act) is transferred to the Orange County development commission established by IC 36-7-11.5-3.5, as added by this act.

(f) On July 1, 2007, all records and property of the commission are transferred to the Orange County development commission established under IC 36-7-11.5-3.5, as added by this act.

(g) Except as provided in subsection (h), an unfulfilled financial commitment made by the commission is void on July 1, 2007.

(h) The Orange County development commission shall assume the commission's commitments to the French Lick Municipal Airport.

(i) Any part of a local development agreement that requires a town to make payments to a county is void on July 1, 2007.

(j) This act does not affect the validity of a historic hotel district established in Orange County before January 1, 2007, under IC 36-7-11.5-2.

#### **2007-234-294**

SECTION 294. (a) The definitions in IC 20 apply to this SECTION.

(b) As used in this SECTION, "plan" refers to "A Plan to Upgrade the Financial Management, Analysis, and Reporting System for Indiana School Corporations and Schools" published by the department of education on September 13, 2006.

(c) The state board of accounts, the department and the state board may not implement the plan or require a school corporation to conform to the plan until after June 30, 2009.

(d) This SECTION expires December 31, 2011.

#### **2007-234-299**

SECTION 299. There is appropriated ten million dollars (\$10,000,000) from the build Indiana fund under IC 4-30-17 to the Indiana finance authority to provide funding for the construction or financing of public water supply systems serving Ripley, Decatur, and Jennings counties, beginning July 1, 2007, and ending June 30,

2009. The purposes for which the appropriation may be used include use of the appropriation by the Indiana finance authority to hire engineers, financial analysts and other experts to investigate problems with the availability or quality of public water and develop proposed solutions. After review by the budget committee the Indiana finance authority may enter into agreements and take any actions necessary to finance projects designed to improve the availability and delivery of water to the public, including the distribution of one (1) or more grants to an entity providing water in any combination of Ripley County, Decatur County, or Jennings County.

#### **2007-234-300**

SECTION 300. (a) The definitions in IC 6-1.1-1, IC 6-1.1-20.9, and IC 6-1.1-21 apply throughout this SECTION.

(b) Subject to appropriation of money from the property tax reduction trust fund for an additional 2007 homestead credit, the department of local government finance shall calculate and certify to the department of state revenue and the county auditor of each county an additional homestead credit amount for property taxes first due and payable in 2007. The additional homestead credit shall be paid as a refund as provided in this SECTION for part of the tax liability (as defined in IC 6-1.1-21-5) imposed on the taxpayer's homestead for the March 1, 2006, or January 15, 2007, assessment date. The department of local government finance shall make the certification based on the best information available at the time the certification is made. Not later than November 1, 2007, the department of state revenue shall distribute to the county treasurer of each county the amount certified for the county under this subsection. The county treasurer shall deposit the amount distributed in a separate account and use the money only for the purposes of providing property tax refunds under this SECTION.

(c) At the same time as the department of local government finance makes the certification under subsection (b), the department of local government finance shall certify to the county auditor of each county the percentage that would apply in each taxing district to provide an additional 2007 homestead credit to taxpayers in the taxing district. The county auditor shall use the certified percentage to determine the amount of the refund due to each taxpayer. The county auditor shall certify the amount of the refund for each taxpayer to the county treasurer not later than the December 20, 2007, settlement date. IC 6-1.1-26 does not apply to a refund granted under this SECTION. The amount of the refund is equal to the lesser of the following:

- (1) The amount of the taxpayer's tax liability (as defined in IC 6-1.1-21-5) on a homestead for the March 1, 2006, or January 15, 2007, assessment date, after the application of all other credits.
- (2) The additional 2007 homestead credit determined for the taxpayer.

The department of local government finance, the department of state revenue, and the property tax replacement fund board shall take the actions necessary to carry out this SECTION.

(d) The amount of the refund shall be applied first against any delinquent property taxes owed in the county by the taxpayer. The county auditor shall issue a warrant for or authorize disbursement by electronic transfer of the remainder of the refund. The refund shall be:

- (1) mailed to the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records, or to the last known address of the most recent owner shown in the transfer book; or
- (2) transmitted by written, electronic, or other means to a mortgagee maintaining an escrow account for a person who is liable for any property taxes or special assessments, as shown on the tax duplicate or special assessment records.

(e) In addition, the county auditor shall mail to the last known address of each person liable for any property taxes or special assessment on each homestead in the county, as shown on the tax duplicate or special assessment records, or to the last known address of the most recent owner shown in the transfer book a written explanation of the refund. The explanation must include the amount of the refund specified in the following statement in at least 12 point type:

"A portion of your local property taxes due in 2007 are being refunded due to tax relief provided by the Indiana General Assembly. Your refund is in the amount of \$\_\_\_\_\_ (insert amount of refund). If you did not receive a check because you pay your property taxes through an escrow account along with your

mortgage, your lender will receive the refund and should adjust your payments accordingly."

(f) Any part of the amount distributed to a county under this SECTION that is not applied or refunded as provided in this SECTION shall be transferred to the auditor of state for deposit in the property tax reduction trust fund.

(g) This SECTION expires January 1, 2009.

**2007-234-301**

SECTION 301. (a) The definitions in IC 6-1.1-1, IC 6-1.1-20.9, and IC 6-1.1-21 apply throughout this SECTION.

(b) Subject to appropriation of money from the property tax reduction trust fund for an additional 2008 homestead credit, the department of local government finance shall calculate and certify to the department of state revenue and the county auditor of each county an additional homestead credit amount for property taxes first due and payable in 2008. The department of local government finance shall certify to the county auditor of each county the percentage that will apply in each taxing district to provide the additional 2008 homestead credit to taxpayers in the taxing district. The department of local government finance, the department of state revenue, and the property tax replacement fund board shall take the actions necessary to apply the additional 2008 homestead credit under this SECTION.

(c) This SECTION expires July 1, 2009.